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## Contents for May 1941

THE LEAGUE'S BUSINESS .....	<i>H. P. J.</i>	250
EDITORIAL COMMENT .....	<i>A. W.</i>	251
NEW YORK STATE EXTENDS MERIT SYSTEM ....	<i>Morton Varmon</i>	253
METROPOLITAN ATLANTA .....	<i>Doris Darmstadter</i>	258
THE NEGRO VOTE IN NORTHERN CITIES ....	<i>Harold F. Gosnell</i>	264
WANTED: EXPERIENCED LEGISLATORS .....	<i>Mona Fletcher</i>	268
THE CASE FOR THE OPEN BACK DOOR .....	<i>Harry W. Marsh</i>	275
HERE ARE THE ANSWERS TO 'WHY VOTERS DON'T VOTE'	<i>Selwyn Pepper</i>	279
NATIONAL DEFENSE AND THE CITIES .....	<i>Daniel W. Hoan</i>	281
THE RESEARCHER'S DIGEST: MAY .....		285
CONTRIBUTORS IN REVIEW .....		288
NEWS IN REVIEW.....		289
Editors: <i>H. M. Olmsted</i> , City, State, Nation, 289; <i>Elwood N. Thompson</i> , Citizen Action, 296; <i>Elwyn A. Mauck</i> , County and Township, 301; <i>Wade S. Smith</i> , Taxation and Finance, 306; <i>George H. Hallett, Jr.</i> , Proportional Representation, 309.		
BOOKS IN REVIEW.....	<i>Elsie S. Parker</i>	313

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NATIONAL MUNICIPAL LEAGUE

# The League's Business

## New League Council Members

The President and Executive Committee of the National Municipal League, in accordance with action taken by the League membership at the annual business meeting in Springfield last November, have announced the election of the following new members of the Council of the League:

**Rev. Edward Dowling, S.J.**, of the staff of *The Queen's Work*, official publication of the Sodality of Our Lady, member of the Advisory Council of the Proportional Representation League, who has lectured extensively on P. R. and other civic problems;

**C. A. Dykstra**, chairman of the National Defense Mediation Board and formerly president of the National Municipal League;

**Clarence Francis**, president of General Foods Corporation, formerly commissioner of finance of Bronxville, New York;

**George H. Gallup**, founder and director of the American Institute of Public Opinion, professor at Columbia University's Pulitzer School of Journalism;

**Robert W. Johnson**, chairman of Johnson and Johnson, former mayor and councilman of Highland Park, New Jersey, and New Jersey civic leader;

**Mark S. Matthews**, president of the United States Junior Chamber of Commerce, formerly head of the legislative division of the New York City Corporation Counsel's office in charge of drafting and introduction of all legislation for the city in the state legislature;

**Major Fred N. Oliver**, general counsel for the National Association of Mutual Savings Banks;

**Harold E. Stassen**, Governor of Minnesota.

## New Publications

*Local Progress in Labor Peace*, by William L. Nunn of the University of Newark, a reprint of three articles which have appeared in recent issues of the REVIEW, will be published on May 15. The pamphlet will contain a suggested ordinance by Mr. Nunn for the establishment of a municipal labor board. Mr. C. A. Dykstra, director of the National Defense Mediation Board and formerly the League's President, has written an introduction. Price of the leaflet is thirty-five cents; copies may be ordered through the League's office.

*Citizen Organization for Political Activity—The Cincinnati Plan*, first issued by the League in 1934, is now available in a new and revised edition. This is the story of the accomplishments of the Cincinnati City Charter Committee which for sixteen years has led the movement to secure and keep good government in the "best-governed city." Its price is thirty-five cents.

## State Committee Chairman Honored

Governor Lehman has appointed **M. P. Catherwood** of Cornell University, chairman of the League's New York State Committee, as head of the newly created New York State Division of Commerce. Dr. Catherwood has been chairman of the State Planning Council, which heads the Division of State Planning, since 1938. That division, together with the Bureau of State Publicity, has now merged with the new Division of Commerce.

HOWARD P. JONES, *Secretary*



# National Municipal Review

## Editorial Comment

### Plans for Defense – and Action!

**T**HE cynical wags are beginning to say that everything from ordinary road building to routine operation of hospitals is seeking to label itself a defense activity. On the other side of the picture, some agencies, both public and private, have quietly but effectively reshaped their programs in order to make substantial contributions to an all-out defense program.

An impressive illustration of this is the record of the New York State Division of Planning. The division's program during the past year placed principal emphasis on the following:

1. Preparation of a directory of those manufacturing and non-manufacturing industries in the state which might be useful directly or indirectly in defense. These directories are in the hands of the British Purchasing Commission and the various government procurement offices, among others.

2. An inventory of idle plants to show what they had once produced and various uses to which they might be put.

3. An inventory of machine tools in all plants, with complete data on type, condition, age, geographical location, and number of idle hours available.

4. Establishment of a clearing house to bring primary contractors and potential subcontractors together on defense work.

Even before the inventory of machine tools was completed it began

to bring results: it disclosed information about small plants which enabled one of the largest manufacturers of defense materials to accept six of them as subcontractors immediately. As the inventory progressed there were other similar developments.

To hasten and expand further the program of farming out defense production work, clinics are being held throughout the state at which potential subcontractors meet with representatives of the State Defense Council, local defense councils, the United States Office of Production Management, the Division of State Planning, and six large prime contractors. The meetings are followed by inspections of neighboring shops and the working out of details of subcontracting.

The manifold advantages of all this information are obvious. If properly used and if duplicated in some of the other important manufacturing states, it might go far toward the eliminating of troublesome bottlenecks, preventing the overcrowding of manufacturing centers and lessening the overdevelopment of new facilities. It is easy to see why it has been predicted that the New York plan will serve as a model for other states.

"Practical" minds now and then are prone to suspect planning agencies of a tendency to explore only remote and seldom attainable possibilities, something like the false idea of professors wandering around in a meta-

physical, ivy-draped world, emerging now and then to make pronouncements which too few understand. But it is difficult to imagine a plan more in tune with the needs of the moment and one which promises

more immediate benefit to business, industry, labor, and the country's defense program. It is not alone planning of the highest order. It is planning translated promptly and effectively into action.

## National Defense and the Cities

**S**PEAKING of defense plans and planning—as everyone is nowadays—the problems municipal government is facing in connection with the national program are becoming more numerous and pressing.

It is appropriate that the NATIONAL MUNICIPAL REVIEW should include in its columns a new department, "National Defense and the Cities," which begins with this issue. And it is especially appropriate that this new department should be prepared by Daniel W. Hoan, who for many years was the distinguished mayor of Milwaukee and who did so much to change the world's idea of just

what it was that made Milwaukee famous.

Mayor Hoan knows and has solved a great many of the problems a city faces in good times and bad. He guided Milwaukee through the complete cycle of war, boom, and depression. In his present position as assistant director of the Division of State and Local Coöperation of the Advisory Commission to the Council of National Defense, to which he was called early in the defense program, he is in constant touch with developments and is participating in the solution of problems and the evolution of policies.

## Jersey City Papers Please Copy

**W**HEN budget time rolls around, the officials of many communities are in no mood to hear complaints and suggestions from ordinary citizens who, after all, haven't been sitting up nights and getting furrows in their brows trying to make things turn out right.

Frequently the welcome mat is definitely removed from the city hall doorstep, figuratively speaking. Few cities go so far as to pack the budget hearing with a cheering section to hoot down those who ask embarrassing questions, as happened recently in Boss Hague's Jersey City; indeed, the police escorted from the hearing the only citizen who was

bold enough to demand information.

So it is especially refreshing to find public officials going out of their way to help the average citizen know as much as possible about a proposed budget before it becomes a *fait accompli*. Every household in the village of Bronxville, a suburb of New York City, recently received a copy of the proposed budget for 1941-1942. It wasn't just a set of intricate figures, either, such as those commonly published in small type in newspapers and which look troublesome to the fellow who "wasn't very good at arithmetic in school, anyway." An attractively printed, read-

(Continued on Page 316)



# New York State Extends Merit System

*Governor signs bill making application of the merit principle mandatory on all local units of government within state.*

By MORTON YARMON

*State Editor, Civil Service Leader*

LIKE a giant Rip Van Winkle, New York State was sound asleep for the forty-four years from 1894 to 1938, completely oblivious to the demand in its own state constitution that all public jobs must be filled by competitive test wherever practicable. Following two years of intensive study of remedies for this oversight, however, the state legislature has now passed and Governor Lehman has signed a bill which lays plans for the first wholesale extension of civil service to every jurisdiction within the state.

Provisions of the act introduced by Assemblyman Emerson D. Fite and Senator K. K. Bechtold, embracing recommendations of the New York State Commission on Extension of the Civil Service, are all frankly experimental. The act itself allows for changes in type of civil service administration after a relatively short period of time.

An explanation for New York State's extended slumber is hard to find. The state constitution is clear in its mandate that a merit system prevail, and the courts upheld the particular provision in vigorous tone shortly after its passage.

This provision of the constitution was adopted in 1894:

*Article V, Section 6.—Appoint-*

ments and promotions in the civil service of the state, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive.

Two years later the Court of Appeals ruled that civil service was basic to the governmental fabric of the state, beyond touch of legislators. In *People ex rel. McClelland v. Roberts* (148 N. Y. 360), it said:

The principle that all appointments in the civil service must be made according to merit and fitness, to be ascertained by competitive examinations, is expressed in such broad and imperative language that in some respects it must be regarded as beyond the control of the legislature and secure from any mere statutory changes. If the legislature should repeal all the statutes and regulations on the subject of appointments in the civil service, the mandate of the constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal.

Extension of civil service throughout New York State has been nevertheless slow, uneven, incomplete, for the State Civil Service Commission interpreted the constitutional man-

date to mean that the civil service law was to be extended when the commission deemed it practicable. Only in the cities has the job been done fully; each of the sixty-one cities has its own municipal commission, functioning under general supervision of the state commission.

#### Early Extensions

Between 1900 and 1914 the merit system was extended to the five counties of New York City and to twelve upstate counties. In 1938 an independent commission was set up in Nassau County, operating under a status similar to that of the municipal commissions. Under the new Westchester County charter, which went into effect in 1939, civil service moved from the state commission's jurisdiction to that of a personnel officer, although the state commission retains various technical duties.

In addition one town, one school district, and four villages have come under civil service, along with such miscellaneous positions as probation officers, public health nurses in the counties, and police in villages and certain towns.

Last winter the Social Security Board threatened to deprive New York State of federal funds unless all county welfare jobs came under civil service, and lists were recently established as a result of tests held in the fall.

Three-fourths of the state remained outside the merit system. Included were forty-four counties, more than nine hundred towns, five hundred villages, eight thousand school dis-

tricts, and several thousand special improvement districts.

Failure to fulfill the constitutional provision more adequately came before the Court of Appeals in 1937, when a carpenter named Palmer sued the Board of Education of Union Free School District No. 2, Town of Geddes, Westchester County. He claimed damages, maintaining he had been illegally fired. He had been under contract for a year but his services were dispensed with before the time was up.

In ruling against Palmer the Court of Appeals went beyond its decision in the McClelland case. The defendant could not make a legal contract with Palmer because he had not been hired through civil service and the 1894 mandate of the state constitution had not been carried out. The court hinted at the chaos that might result were such a situation allowed to continue (276 N. Y. 222):

The people of the state have declared in unmistakable terms that merit . . . shall govern appointment and promotion in public service. No administrative officer may violate the provisions of the constitution and no court may sanction a violation. An employment which in its inception violates the provisions of the constitution is illegal and against public policy regardless of the good faith of the parties. . . . The failure of the legislature, the Civil Service Commission, and the Department of Education to provide for ascertainment of merit by examination has led local bodies to assume that appointment might be made without such examination. . . . A person holding an administrative position by appointment or contract of employment without compliance with



the provisions of the constitution has no legal right which is violated by a discharge. . . . There can be no right to make an appointment or contract which would create a legal right of tenure where the constitution forbids the creation of such a right.

The implications were staggering. Employment contracts made in good faith were in fact invalid. Any taxpayer might challenge the right of 150,000 employees in these forty-four counties and thousands of towns, villages, school districts, and special districts to remain on the job. Several such suits were actually started and many others threatened.

The 1938 session of the state legislature learned of the Court of Appeals' decision in the Palmer case, but decided that any action would await the constitutional convention meeting that summer. The convention, however, continued the inactivity, although no one suggested rescission or amendment of the 1894 constitutional provision.

#### **Study Commission Appointed**

In his message to the state legislature in 1939 Governor Lehman called attention to the seriousness of the situation and urged appointment of a commission to study the problem and suggest a remedy. The legislature moved swiftly, passing an act which set up a commission, its members to be appointed in part by the legislature, in part by the Governor.

The law permitted the Governor to choose a representative of the State Civil Service Commission, a representative of the State Education Department, and a third independent

member. Lehman's choices were among the outstanding civil service experts in the state: Howard P. Jones, member of the State Civil Service Commission and secretary of the National Municipal League; Charles A. Brind, Jr., head of the law division of the State Education Department and president of the Association of State Civil Service Employees; H. Eliot Kaplan, executive secretary of the National Civil Service Reform League.

Provision was also made for the secretaries of the organizations of officials in towns, villages, and counties to join the commission. Three senators and four assemblymen were picked by the leaders of the two houses of the legislature. As their chairman, commission members elected Dr. Emerson D. Fite, professor of political science at Vassar College, who is chairman of the Civil Service Committee of the State Assembly. The body came to be known popularly as the Fite Commission.

For its technical work the commission employed a counsel and a director of research. They were John T. DeGraff, counsel to the Association of State Civil Service Employees and member of the State Board of Law Examiners, and W. Earl Weller, director of the Rochester Bureau of Municipal Research.

Mr. Weller and his staff immediately prepared a complete survey of public employment in New York State, the first ever undertaken. Following this, the commission held public hearings in representative cities throughout the state, where interested individuals and groups were urged

to present their opinions on civil service extension. On the basis of these suggestions and its own deliberations, the commission prepared and submitted to the legislature two reports,<sup>1</sup> the second of which contained proposed legislation for carrying out its recommendations.

### Counties Have Choice

The act permits each of the counties to select from among the three types of civil service administration already in operation in New York State: county civil service commission, county personnel officer, administration by the State Civil Service Commission. In its report to the legislature the commission says:

The well established principle of home rule would seem to require that each county be given an opportunity to select the form of administration that seems best suited to its requirements.

The Board of Supervisors in each county is to select one of these three options, following a public hearing, by July 1, 1942. Should it fail to make and adopt its choice by that date the county automatically comes under the jurisdiction of the state commission. The civil service law goes into effect in each county by July 1, 1943, or earlier if the county administration so chooses.

These are the details of each optional form:

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<sup>1</sup>State of New York, *First Report of the New York State Commission on Extension of the Civil Service*, submitted March 15, 1940, Legislative Document (1940) No. 92; *Second Report of the New York State Commission on Extension of the Civil Service*, submitted February 20, 1941.

1. *County commission.* Three commissioners are to be appointed by the Board of Supervisors, not more than two from the same political party. Rotation in office is provided for; initial members are to be appointed for terms of two, four, and six years respectively, and future members for six-year terms. The state commission enjoys the same general supervision it now exerts over city commissions, that is, the approval privilege over all rules and regulations. If the county commission so desires, the state commission will conduct its examinations free of charge.

2. *County personnel officer.* The officer is selected for a six-year term by the Board of Supervisors, and is removable only for incompetency or misconduct after a public hearing. He performs all the duties of the civil service commission with the exception of the conduct of examinations and the establishment of eligible lists, these technical functions to be handled by the state commission.

3. *Administration by the State Civil Service Commission.* All local functions are performed by the state commission.

In the matter of expense to the individual county, the cost is greatest with the county commission, less when the personnel officer form is adopted, and no expense at all is incurred when the county comes under the state commission.

Each county has the privilege of changing its form of administration should it prove unsatisfactory. After July 1, 1944, a change may be adopted by the Board of Supervisors



following a public hearing, to go into effect one year or more after the change is authorized.

A similar privilege to change is given to the cities of the state where civil service is now administered by municipal commissions. At any time a city may elect to abolish its own commission and come under the jurisdiction either of the state commission or of the commission or personnel officer of the county in which it is located. After a limited period it may decide to change once more, and is permitted either to reestablish its own commission or to adopt the remaining alternative. The vote of the common council decides in all cases. By merging with a state or county body, the Fite Commission explains, the city effects a saving in its civil service administration.

The legislation specifically retains under the jurisdiction of the State Civil Service Commission supervision of the five counties within Greater New York City, where county reorganization is under discussion, and adds to its jurisdiction school districts other than city school districts. These are in addition to cities and counties electing to come under its direct supervision and those counties failing to adopt an optional form of administration by July 1, 1942.

#### State Would Bear Cost

As a stimulus to local commissions to make use of the technical facilities of the state commission, a change in the present law is made so that such services will be made available without cost. At the same time an appropriation of \$50,000 is granted the

State Civil Service Commission to take care of the additional expenses incurred when its staff coöperates with and advises the local commissions.

Although the Fite Commission members were united in their belief that the proposed set-up is experimental, two members appended a note to the report to the legislature. Howard P. Jones and H. Eliot Kaplan appealed for an administrative form that would leave the technical functions of classification and examination in the hands of the state commission. They point to Westchester County, which recently adopted the personnel officer form of administration as part of its home rule charter, where these functions are handled by the state commission.

On the matter of the status of the 150,000 incumbents the study commission has recommended that all those employed one year before the civil service rules become effective in their particular jurisdiction be continued at work without further examination. In this it is following the practice of other states and of the federal government. According to the commission's public employment study, only from 20 to 25 per cent of the positions involved in the extension logically fall into the competitive class.

As to residence requirements, another controversial issue, appointing officers are given the privilege of limiting appointment to residents of the city or other civil division in which the job is located. At the public hearings many local officials

(Continued on Page 274)

# Metropolitan Atlanta

*Functional consolidation appears to be only practical solution to city-county problem in Atlanta-Fulton County area.*

By DORIS DARMSTADTER

THE Atlanta metropolitan district presents two fortuitous, and perhaps fatal, difficulties not found in other metropolitan situations. In the first place, the nucleus city of Atlanta lies in two counties. The whole of the original and the greater part of the present city is in Fulton County, but some years ago Atlanta—not foreseeing the consequences—annexed a small area in DeKalb County. In the second place, Fulton County was enlarged about a decade ago by the annexation of two impoverished rural counties, Milton and Campbell.

Were it not for these two unfortunate circumstances, the Atlanta-Fulton County area—minus the DeKalb part of Atlanta and the Milton and Campbell parts of Fulton—would present a relatively simple metropolitan problem. For old Fulton County, now largely built up but having only a few small incorporated municipalities other than Atlanta, offers an ideal case for consolidation.

The fact that part of Atlanta is in DeKalb County puts apparently insuperable barriers, practical and constitutional, in the way of any comprehensive plan of metropolitan consolidation. It is the practice of the Georgia legislature not to pass any bill affecting a particular local unit except with approval of the legislative delegation from the county concerned. Since Atlanta is partially in DeKalb County, the consent of

the DeKalb delegation must be obtained to legislation affecting Atlanta-Fulton-DeKalb relations. But the DeKalb part of Atlanta is so small a part of that county that the wishes of Atlanta voters hardly register with the DeKalb delegation, which is swayed by the demands of the county's rural section or by a desire to use its strategic position for political horse trading.

As the possession of the assessed valuation within the Atlanta limits, for which no corresponding services need be rendered, seems so valuable to DeKalb County there is not much chance of ever getting passed any real county consolidation plan.

The Georgia constitution, while it provides for city-county consolidation by popular referendum with approval of a majority vote in the county and in each incorporated municipality affected, contains a joker which specifically forbids consolidation in the case of a city lying in more than one county.

The Atlanta metropolitan area, as defined by the United States Census Bureau, is composed of the city of Atlanta, most of old Fulton County (not including the Campbell and Milton additions), the western part of DeKalb County, a bit of Cobb County just across the Chattahoochie River, and an insignificant part of Clayton County. The total population, according to the 1940 census,



is 442,294, of which 273,294 is in the Fulton County part of the city of Atlanta, 96,006 in Fulton outside Atlanta, 28,994 in the Atlanta part of DeKalb County, 39,329 in DeKalb outside Atlanta, 2,474 in Cobb County, and 2,197 in Clayton. The area involved is approximately 225 square miles, of which about 15 per cent is in Atlanta and 85 per cent outside the city.

While the Census Bureau does not include the Milton and Campbell parts of Fulton County, or the so-called Roswell district, in the metropolitan area, they constitute 65 per cent of the area of the present Fulton County. The acquisition of Campbell at one end and Milton at the other projected the dimensions of Fulton to a length of sixty miles as against a width of from two to twenty miles—a very awkward and expensive area to service. These two sections are sparsely settled rural areas dotted by a few hamlets. They succeeded in annexing themselves to Fulton County because they were too poor to help themselves, and they have involved Fulton County in expenses for services such as police, roads, and schools, far better than they had been accustomed to prior to annexation and utterly out of proportion to their taxing ability.

Consolidation of the entire present Fulton County with Atlanta would only aggravate an already bad situation so far as expense is concerned. Any attempt to consolidate Atlanta and Fulton County, omitting the old Campbell and Milton areas, would be fought bitterly by the people of those areas who do not want to descend

to their former neglected state. It would be legally impossible anyway because the Georgia constitution provides no method of disjoining counties once consolidated. To give them services on a genuinely urban scale would be prohibitively costly, and to impose full city and county taxes on them simply confiscatory.

Back in 1929 the Georgia legislature, at the instigation of the Atlanta delegation, passed an act creating a "Greater Atlanta," but provided it with no powers and no budget. When the United States Census authorities refused to recognize the district even for population purposes, it lost its only excuse for existence and was allowed to lapse.

#### Survey of Atlanta

In 1937 the Chamber of Commerce of Atlanta, the city, and Fulton County joined in employing the Consultant Service of the National Municipal League to make a detailed study of the two units.

This study, under the direction of Thomas H. Reed, found that aside from numerous defects in the internal operation of each unit, the worst features of the situation were that the city taxpayers paid not only the full cost of the city government but five-sixths of the cost of the county government, and that certain services such as health and police, which require centralized command for efficiency, were administered separately.

Of these difficulties by far the most important were those relating to taxation. The undue share of the burden borne by city taxpayers was due in part to the crude assessing

methods used by the county which resulted in excessive undervaluations of properties outside city limits. On this point the study recommended establishment of a single authority to equalize city and county valuations. This remains to be accomplished, although there has been some increase in the general level of valuations outside Atlanta.

As to *consolidation*, the study concluded that "it would be much better, other things being equal, if all existing political lines could be wiped off the map of this section of Georgia and the boundaries of a new consolidated city and county drawn in their stead. . . ." It found, however, that such a change was not possible because "in the first place there is a constitutional provision in the way. Ostensibly placed in the constitution to enable the city and county governments to unite, it contains a provision that no consolidation can take place if the city is in more than one county.

"In the second place, it must be recognized that most of the political leaders of both counties and the city would naturally be loath to see a consolidation plan adopted which might deprive them of power and profit. The people dwelling beyond the limits of the new city would naturally revolt from being forcibly separated from Santa Claus in the shape of high downtown valuations of Atlanta which make a mill on the county tax rate mean something substantial. And then there is the reluctance of men to break with tradition.

"Altogether, the forces against an

out and out consolidation of the whole metropolitan area are too strong for the present to make it worth while to engage in a pitched battle with them."

### Recommendations

The survey therefore recommended a reallocation of governmental functions between Atlanta and Fulton County. It urged, first, the establishment of a metropolitan planning authority whose duty it would be to make a master plan for the metropolitan area. The city had a planning commission but no plan, the county had neither. There had not even been an attempt at a coordinated regional plan so necessary in a growing metropolitan area.

The survey recommended that police protection in Fulton County be provided by the Atlanta department on a contractual basis. There were, it found, separate police forces for city and county, working out of police stations within two or three blocks of one another, each having concurrent and occasionally conflicting jurisdiction within the city. The county force was inadequately organized, trained, equipped. Certainly a single police department for the metropolitan area would be highly desirable and more efficient in operation, and in the long run probably more economical. The legislature, in 1939, opened the way to such an arrangement by an act permitting the county to contract with Atlanta for police and other services.

It was found that the administration of relief had been centralized in a well organized county board of



welfare as a result of state legislation stimulated by the social security act. The city, however, was still making substantial contributions to the cost of relief, besides paying five-sixths of the county's share. It was recommended, therefore, that the whole cost of relief be placed in the county budget. This has since been done.

The study disclosed that Atlanta had a somewhat inadequate department of public health and Fulton County a still more inadequate department of sanitation and quarantine. These conditions were reflected in high morbidity and mortality rates. Supplementing a report that had been made by Assistant Surgeon Charles F. Blankenship, of the United States Public Health Service, the study urged complete consolidation under the city and modernization of health services for the whole area, the cost to be divided between the city and the county outside the city on a per capita basis.

The survey also recommended that the four charity hospitals of Atlanta be placed in charge of a joint city and county board and supported by county appropriations, except that the city of Atlanta should pay for the care of persons from the DeKalb portion of Atlanta and for the support of the Steiner cancer clinic, the latter because of the terms of its endowment. A partial step in this direction has been made by putting the two principal hospitals, Grady and Battle Hill Tuberculosis Sanitarium, under a single city board.

A *modus vivendi* had already been established on a small scale with

regard to fire protection and library service. The city has been providing library service to the county, the county contributing some part of the cost. While it is true that the present library service to the county is inadequate, a pattern for future procedure has been created.

The same thing is true with regard to fire protection. Where fire stations have been set up in the county, the personnel has been placed under the command of the chief of the Atlanta department.

The beginning of somewhat similar coöperation in the handling of parks was to be found in the city operation of an eighteen-hole golf course located outside the city limits. The survey recommended that the day-by-day administration of the several county parks then under construction and the provision of recreational facilities be entrusted to the city park department through a contractual arrangement.

#### Sewage Disposal

Sewage disposal works, constructed as a WPA project under city and Fulton County sponsorship, were just being completed as the survey was made. They are now being operated by the city, the county contributing one-third of the cost. These sewage disposal works benefit to some degree DeKalb County outside of Atlanta. The contributions of DeKalb County, however, have been negligible.

Water is supplied to the metropolitan area in both Fulton and DeKalb Counties by the city of Atlanta which owns the only available source

of supply in the region. The city of Atlanta makes a handsome profit by selling water outside the city limits at double the city rates, plus a fifty-cent service charge. This is a partial compensation to the city for the excess contributions of its taxpayers to county services.

Both the city and Fulton County have large departments of public works. Both make use of the labor of prisoners in their custody. In the case of the county, the cost of caring for prisoners is mingled inextricably with the cost of doing public work. The county has always recognized the fact that since the city taxpayers pay five-sixths of the cost of the public works department, some of this money should be expended within the city limits. The aggregate amount expended over a period of years, including outlying city projects such as the airport, is considerable.

As the rapid increase in population in the county has given rise to ever greater demands from the area outside the city, the significance of county public works within the city has dwindled to almost nothing. As the county outside the city, however, would be entirely unable to bear the cost of necessary public works in a rapidly developing community, and as the great bulk of the prisoners cared for come from Atlanta, the survey made no suggestion concerning consolidation in this field.

#### School Situation

The situation with regard to schools is highly anomalous. The taxpayers of Atlanta, in addition to

maintaining the city school system, pay a 1.5 mill tax for county schools, plus five-sixths of an appropriation made by the county for a county school system to which no city child is eligible. The county schools, while well run from a business standpoint, give fewer years of instruction, less education to Negroes, no night schools or special classes or kindergartens, and pay much lower salaries to teachers than do the city schools.

One of the principal county high schools is located in the heart of Atlanta, and pupils attending it have to pass similar city schools on their way to and from home. Children from that section of Atlanta have to go long distances past the county school to attend city high schools. On the city-county boundary there are several situations where an exchange of pupils would be mutually advantageous were it not for the differences in educational offering.

Though it recognized that consolidation was ultimately necessary, the survey did not recommend it for immediate adoption because of the great expense involved in raising county schools to the city standard, especially in the matter of teachers' salaries for which funds were not available. It did recommend a salary commission to work out a harmonious schedule for both departments, together with coöperation in a program of vocational education.

In 1939 some influential Atlantans came forward with a proposal for a comprehensive solution of this difficult consolidation problem. Under the name of the One Government League they suggested an enabling



amendment to the constitution and accompanying legislation to set up a single consolidated city-county government for Fulton County as now constituted. The governing body would have been a council of nine nominated and elected at large, which would choose an executive (*eo nomine*) and a mayor for ceremonial purposes.

The general executive and certain basic departments such as finance, assessment, law, personnel, public buildings, hospitals and welfare, together with the courts and their adjuncts, would be supported by a general county-wide tax. Other departments such as police, fire, health, and parks, would serve only such areas—not the whole county—as should be determined by the council and only those areas should be taxed for each such purpose.

Revenues other than from the general property tax were to be distributed between departments in proportion to their total expenditures provided in the budget, and the balance of their requirements levied either on the county as a whole or a portion of it as the case might be. An area desiring the extension of a service to itself could initiate an ordinance to that effect by means of a petition signed by 10 per cent of the registered voters. Passage of the ordinance by both the council and the people of the area on referendum would have been necessary.

This portion of the plan seems ingenious and worthy of consideration. So far, however, no practical progress has been made towards its adoption.

Even if all other difficulties could

be removed, there would still remain the problem of the portion of Atlanta in DeKalb County. This the One Government League proposed to meet by allowing the citizens of that area to vote on whether they would accept from the new government each of the services they now receive from the city of Atlanta. If they voted to do so in respect to any service they would be taxed for it in the same manner as if they were part of Fulton County. They would remain citizens and taxpayers of DeKalb County, but if they decided to accept all the services from the new government they now receive from Atlanta, they would be allowed to vote for non-judicial officers in Fulton County and to hold office there as well.

#### Local Government Commission

It is significant that the Atlanta Local Government Commission, appointed by the January-February (1940) Fulton County Grand Jury, on which the city and county governments as well as the Chamber of Commerce, the League of Women Voters, and other civic interests were represented, after due consideration rejected the idea of consolidation. In its recently published report it makes fifteen specific recommendations. Of these, eleven relate to the internal management of the city or county. Some of them, such as the recommendation of a county manager, the appointment of department heads by the mayor, the establishment of civil service on a sound basis in both units, are important and far-reaching changes strongly advocated in the

(Continued on Page 287)

# The Negro Vote in Northern Cities

*Urbanization, growing class-consciousness, unemployment relief, all play part in the shift of Negro vote to the Democratic party.*

By HAROLD F. GOSNELL  
*University of Chicago*

**B**EFORE the 1940 presidential election there was a good deal of speculation as to how Negroes in northern cities would vote. Various estimates were made as to the size of this vote. Usually the figure was over two million. All of the more or less established straw polls indicated that for the first time since 1916 the election was going to be a close one. Here was a situation where the Negro vote might have swung the result one way or the other.

In the north and border states the Negro vote was found largely in the metropolitan centers of the following eight states: New York, Pennsylvania, Illinois, Ohio, Michigan, Maryland, Indiana, and Missouri. With the exception of Maryland these were states where the vote was very close and a relatively small switch might have changed the result. Two of these states were carried by Willkie—Michigan and Indiana. If he had carried the other six he would have received 153 more votes in the electoral college or nearly enough to have defeated Roosevelt.

What were some of the speculations regarding the voting behavior of Negroes in 1940? In the October issue of the *Atlantic Monthly* Lawrence Sullivan made a number of guesses regarding the Negro vote which were 100 per cent wrong. On the basis of a misinterpretation of

certain erroneous figures regarding voting behavior in Chicago he laid down the following fallacious propositions:

1. That the Negro vote would not be decisive in any state in 1940, even Illinois;
2. That the 1940 election would mark a large return of Negro voters to the Republican fold;
3. That three-fifths of the Negro vote in the city of Chicago which was typical of the national Negro vote would be for Roosevelt.
4. That the Negro vote was influenced chiefly by relief in the past but now the Negroes were getting tired of relief.

What about Sullivan's first proposition? In presidential elections the Negro vote in Chicago used to be almost four-fifths Republican. In 1940 it was about one-half Republican. About one-third of the voters in the South Side had shifted their vote. According to estimates which I have made this would be about 50,000 votes for the city. The shift from 1928 and 1932 was sufficient to carry the state for Roosevelt.

The second proposition may be put in the form: Why didn't the vote shift? In Chicago there was no shift of the South Side back to the Republican party. Contrary to city-wide trends, its Democratic vote was 3 per cent higher in 1940 than in 1936. The city as a whole shifted away from Roosevelt, but the Black



Belt continued its swing toward Roosevelt at a slackened pace. There was a shift toward the Republican party in state affairs, however, corresponding to the shift that took place in the state as a whole.

So far as Chicago was concerned Sullivan greatly overestimated the strength of the Democratic party among Negro voters. It has not been possible to obtain 1940 figures regarding the behavior of Negro voters in other cities but it is clear that they are more Democratic in New York and less Democratic in Cincinnati.

### Relief Situation

Sullivan's last proposition was that the Negro vote was influenced chiefly by the relief situation. There is no question that this is an important consideration with unemployed citizens, white or colored. Studies which I have made in California, Iowa, Wisconsin, Illinois, and Pennsylvania bring this out very clearly. Public opinion polls have presented corroborative evidence. It is doubtful, however, whether it is a chief consideration.

Since the 1940 election returns have just recently become available and since the 1936 election so closely resembles the 1940 election, I will have to draw upon an analysis made by one of my students, Elmer Henderson, who studied the Negro vote in the 1935, 1936, 1938, and 1939 elections.

Henderson found that in 1936 the relationship between the Roosevelt vote and the percentage of persons on relief by census tracts was a posi-

tive one but not close. Putting it in technical form, about 16 per cent of the variation in the Negro vote as between census tracts could be explained by variations in the ratios of those on relief. Since in 1940 about 60 per cent of the Negroes in Chicago were on relief, and the Negro vote was only 50 per cent Democratic, it is obvious that there were at least 10 per cent of those on relief who voted Republican. I am inclined to the view that a much larger proportion of the Negroes on relief actually voted Republican.

It is useless to deny that the relief situation is not important in explaining the shift of the Negro vote from the Republican to the Democratic party in the past eight years. There are many other influences, however, which are just as important. Henderson has listed the following:

1. Urbanization produces social and psychological changes in individuals and groups which tend to break down stereotyped and traditional allegiances;
2. Growing dissatisfaction with the Republican party because it did not grant gains to the group commensurate with the support given;
3. Changing attitude of the Democratic party—the Roosevelt administration was more liberal in its attitude toward Negroes than previous Democratic administrations;
4. Growing class-consciousness among Negroes—the increasing exposure of Negroes to the labor movement and radical propaganda.

In addition to these I would add:

5. As local administrations became Democratic, it was necessary for the Negro underworld to swing

behind the Democratic machines or go out of business.

Consider how applicable these considerations are to the 1940 campaign.

The proposition regarding urbanization is not particularly related to the depression and its effects. We would expect it to operate regardless of economic conditions. Those Negroes who migrated from rural to urban communities some time ago would be expected to be the most emancipated from the traditional view toward the Republican party. We would expect, then, other things being equal, that the oldest Negro communities in northern cities would show the most pronounced tendency to support the Democratic party. Harlem is one of the older communities and it is the most sophisticated. It fits the pattern. One of my former research assistants, Miss Frances Williams, who has been living in New York City, told me how impressed she was with the contrast when she came to Chicago for a few days in October. The so-called Republican fixation is much stronger there than in New York City. On the other hand, the Negro community in Cincinnati is an old one. It has not swung to the New Deal as Negro communities have in other northern cities. Some of the reasons for this will be discussed presently. Other things are not equal in Cincinnati.

There is no doubt that there was considerable dissatisfaction with the Republican party in the period immediately preceding the advent of the New Deal. So far as the Chicago situation is concerned, I have developed the earlier phases in my

*Negro Politicians*.<sup>1</sup> We are concerned here with the question: Were the Negroes dissatisfied with Willkie and with the Republican campaign which was put on in 1940? It does not seem that Willkie was a particularly strong candidate so far as the Negro group was concerned. His home town of Elwood had a reputation for being rabidly anti-Negro, a typical small town community in the state that produced the strongest Ku Klux Klan movement in the north in the years following 1918.

#### "Seeing Is Believing"

Willkie was a novice in politics and he had no previous contacts with Negro politicians. All that he could do was promise. Somehow his promises were less tangible than Roosevelt's record. The Republicans tried to exploit Joe Louis' Willkie stand and they also tried to make something out of the Steve Early incident in New York City. Great crowds came to hear Joe Louis but not much was made of the Early incident in Chicago. The local Republicans had more money than in recent years and the prospects of a state victory looked good, but these considerations were not sufficient to swing the vote back into the Republican fold.

Did the Democratic campaign win votes? When we consider that the party held its own in the Black Belt although it was losing out elsewhere we must conclude that the Democratic campaign was effective. Roosevelt ran well ahead of all other Democratic candidates in the wards

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<sup>1</sup>University of Chicago Press, 1935.



*Percentage of Negro and White Vote Democratic  
and Percentage of Negro Vote Democratic by Selected Wards  
Chicago, 1932-1940\**

Election	City		Negro percentage by Wards								
	White	Negro	1	2	3	4	5	6	19	20	28
Roosevelt, 1932 Congressman at-Large, 1934	59.2	23.4	63.3	21.7	19.8	18.1	21.4	19.4	—	35.6	28.4
Kelly, 1935 <sup>a</sup>	82.7	80.5	98.2	78.8	79.6	87.1	83.9	54.9	—	94.0	77.2
Roosevelt, 1936 Congressman at-Large, 1938	66.9	48.9	77.8	46.3	49.3	51.3	52.0	41.1	—	46.9	47.5
Kelly, 1939	60.8	51.9	84.5	43.9	56.1	58.6	56.1	36.7	—	52.5	54.4
Roosevelt, 1940	56.1 <sup>b</sup>	59.5	90.0	55.4	58.4	60.1	62.2	43.9	—	88.5	62.3
	58.4	52.0	61.8	50.4	54.0	55.2	53.3	45.0	46.0	51.8	46.1

\*Figures for period 1932-1939 from E. Henderson, "Negro Political Changes in Chicago," The University of Chicago, Master's Dissertation, 1939.

<sup>b</sup>City totals including Negro.

inhabited largely by Negroes, although he was not the top man in other parts of the city. The party could point to many concrete achievements such as the Ida Wells housing project, the NYA program, the social security program, and the appointment by Roosevelt of many Chicago Negroes to important federal positions. Mayor Kelly had appointed a Negro to the Board of Education, a sign of recognition which even Mayor Thompson was unwilling to make. There were many county institutions which had not discriminated against Negroes under Democratic administrations. Among the Negro leaders of the Democratic party were to be found young men with professional training who were group conscious and socially minded.

There has certainly never been a Democratic candidate for President who was so appealing to the group as Franklin Delano Roosevelt. Mrs. Roosevelt is also an asset. Bishop Wright mentioned the fact that the Roosevelts always hired colored domestic help. This "black mammy"

argument is not particularly popular in many parts of the South Side but the Marian Anderson episode showed that the Roosevelts were genuinely interested in fair treatment. Of course, the Southern Democrats are hard to handle, but the Roosevelts have done more to hold them in check than any other Democratic administration has.

An element in the Democratic swing which was not developed by Henderson is alliance with the underworld. Probably the richest men in the Black Belt are the policy gambling kings. This year one syndicate had 1,500 policy writers on the streets canvassing for the Democratic ticket. One of the leaders of this syndicate recently made a settlement with the federal government of \$500,000 for his back income taxes in 1938. A rival syndicate that sponsored a Willkie meeting was raided and practically closed down. The police have this element of the Negro community well under control.

(Continued on Page 278)

# Wanted: Experienced Legislators

*Membership in Ohio's General Assembly shows serious lack of continuity; at no election during '30's did half the incumbents return.*

By MONA FLETCHER  
Kent State University

TOO little attention is given to the qualifications and activities of the men and women who pass our laws. Although the most spectacular contests lie in the national field, the selection of state legislators is of great importance. The citizen is vitally affected by the laws they enact. A sales tax is imposed, an income tax passed, school attendance age changed, business licensing requirements increased. The January 1938 issue of *The Annals*,<sup>1</sup> devoted to "Our State Legislators," contained numerous expressions of regret because the absence of continuous experience so generally characterized state representatives.

Little material is available as to exact facts regarding legislative turnover. Some contribution, accordingly, may be found in the statistical data for Ohio covering the past decade.

The political pattern in Ohio is of interest for several reasons. The state is always important in presidential election years. Its electoral votes have been cast for the winning candidate in all but one of the last fourteen elections. (Ohio supported Harrison in 1892.) This suggests that the state may be politically typical, and prompts a question as

to the relationship between national and state party tickets.

Again, Ohio is diversified in its economic interests, containing great cities as well as rich agricultural areas and coal mining communities in the Ohio River Valley. Furthermore, Ohio is essentially a two-party state, dramatically illustrating the partisan clash between Democrats and Republicans in the fight for office.

The General Assembly of Ohio is bicameral: the Senate contains from thirty-one to thirty-eight members; the House of Representatives has a membership of from 128 to 138 as the apportionment provides.

The representative units in Ohio are the eighty-eight counties. Each county has at least one representative. Senators come from senatorial districts, proportionate to the population, including from one to nine counties each. Elections are biennial with nomination by direct closed primary.

Do the two million Ohio voters cast their ballots for experienced legislators? How frequently and how consistently do they choose Senate and House incumbents? The following tabulation was prepared in order to provide a basis for answering such queries. The table indicates the proportion in each house who were elected to succeed themselves, and whether the others failed

<sup>1</sup>*The Annals of the American Academy of Political and Social Science*, vol. 195. See especially "Tenure and Turnover of Legislative Personnel," by Charles S. Hyneman, pp. 21-31.



TABLE I  
*Outcome of Election for Members of Previous Assembly  
 in Percentages*

	1930		1932		1934		1936		1938		1940	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Re-elected	35%	36%	41%	51%	41%	35%	44%	52%	25%	33%	57%	62%
Failed to File	35	27	34	28	50	42	28	21	22	17	17	16
Defeated in Primary	3	11	9	9	—	8	3	9	14	15	6	5
Defeated in General Election	27	26	16	12	9	15	25	18	39	35	20	17

to seek reelection, lost the nomination, or were defeated in the final election.

Not until 1940 were as many as half the incumbents reelected to the Senate; but only twice did the number who were returned drop below 41 per cent—in 1938 only one in four went back to the upper house. A return of 57 per cent followed the 1940 election. The voters cannot be held responsible for all of the turnover in the Senate, however. The number defeated at the polls in either the primary or the general election was less than the number who failed to file until 1936 when it was the same, 28 per cent. In 1938 the primaries became a more serious hazard for senatorial candidates, and defeats in the general election were also unusually high.

The pattern was much the same for the House, but with a higher percentage of reelection than in the Senate, save in 1934. The number of withdrawals was somewhat less than among senators. In 1940 the House reached its high point for the period in reelections, almost two of every three were returned. There was a greater tendency to reelect in

presidential years than in "off" elections.

The low point in desire for reelection was in 1934, when 50 per cent of the senators and 42 per cent of the representatives did not seek a further term. The legislature elected that year doubled the annual salary for members of the General Assembly to \$2,000. The marked drop in the percentage of those who failed to file in the three subsequent elections may be connected with the fact that legislative officeholding had become more remunerative.

It is necessary to examine these data in the light of the national political scene. The swing from one party to the other, with evidence of the influence of presidential elections, may be seen in Table II which shows partisan distribution in each house for the period.

The oscillation of party control in the first half of the period found a quicker response to the Democratic trend in the House than in the Senate. Between 1936 and 1938 a complete reversal of party power was recorded in both houses.

The year 1938 witnessed a Republican comeback which not only thrust

TABLE II  
*Party Distribution*

	1928	1930	1932	1934	1936	1938	1940
			<i>Senate</i> <sup>a</sup>				
Democrats	—	14	16	19	31	8	17
Republicans	31	18	16	13	5	27	19
			<i>House</i> <sup>a</sup>				
Democrats	11	58	84	67	105	36	60
Republicans	121	70	51	68	33	100	78

<sup>a</sup>Italics indicate majority group.

Senator Taft and Governor Bricker into the national scene but also produced an abnormally high turnover in the General Assembly. The members of this legislature enacted a measure which separated the presidential ballot from the state ticket. This was undoubtedly an important factor in continuing Republican power, but even so its majority was markedly reduced in 1940.

An analysis of this "peak" year of 1938 may help to explain why sitting legislators failed to reappear the next session. Although withdrawals were at their lowest for the decade they still accounted for the disappearance of one out of every five legislators. Half the incumbents were defeated, however, 15 per cent in the primaries.

At the same time that party members in some areas were blocking the continuance in office of their own sitting legislators by the nomination of numerous primary candidates there were other areas in which no primary contests were held. In half the senatorial districts Republican aspirants had no opposition for nomination, and in a quarter of the districts there were no Democratic intra-party rivalries. Similarly, for the House, the Democratic party had

thirty-six uncontested candidacies, and the Republicans presented forty-three candidates for forty-three places, distributed among thirty-five counties. Nineteen of the eighty-eight counties were without primary competition in either party. Indeed in six counties the Democrats had no candidate in November. The Republicans, eager as they were for office, failed to provide a contestant in one county.<sup>2</sup>

Manifestly, this absence of primary competition in 1938 was not statewide. In the Senate the Democrats averaged three aspirants for each contested nomination, while Republicans averaged four. For the House, where several representatives are selected at large from a single urban county, the number of would-be legislators produced a formidable list. In Franklin County, which includes the capital city of Columbus, there were sixteen Democrats and twenty-three Republicans contending for nomination to the six representatives' places. Summit County, embracing Akron,

<sup>2</sup>In 1940 the Republicans had forty-six uncontested primary places, the Democrats were offering only one candidate in thirty-seven counties. No Democrat ran in six more counties. In twenty-one counties neither party had a contest for legislative candidacies.



witnessed twenty-five Democrats and twenty-six Republicans aspiring to its five seats. In Hamilton County the Democrats had won all nine places in 1936, but, even so, twenty-nine names appeared upon the Democratic primary ballot. The Republican organization of Cincinnati, functioning with its customary efficiency, offered a remarkable contrast when they presented nine names for nine seats.

That mortality at the primaries was higher in the cities than in the country in 1938 is indicated by Table III, which presents the data of Table I, rearranged to contrast the results in urban areas with those in the rest of the state.

How far should the urban primary

voter be blamed for his failure to select incumbents from the long lists which are inevitable under the multi-member district system? In Lucas County, to comment further on 1938 data, the Democrats had to choose from among fourteen candidates, and the Republicans from among sixteen. All five elected in November were Republicans, all five were new to the legislature! In Cuyahoga County, including Cleveland, with eighteen representatives to be nominated, there were 130 Democratic and 125 Republican contestants. Half of those who won seats were new to the General Assembly. In 1940 Cuyahoga County presented 155 Democratic names, the Republican list

TABLE III  
*Outcome for Urban and Other Members of Previous Assembly  
in Percentages*

	1930		1932		1934		1936		1938		1940	
	Urban	Others	Urban	Others	Urban	Others	Urban	Others	Urban	Others	Urban	Others
Re-elected	40%	30%	30%	58%	23%	52%	61%	33%	39%	17%	54%	59%
Failed to File	40	31	60	19	80	37	30	27	15	27	23	14
Defeated in Primary	—	4	—	9	—	—	9	—	25	8	—	8
Defeated in General Election	20	31	10	14	7	11	—	40	23	48	23	19
Re-elected	34%	37%	37%	58%	25%	42%	42%	59%	20%	41%	56%	67%
Failed to File	34	23	39	22	46	38	26	19	16	20	15	16
Defeated in Primary	8	13	5	11	8	9	11	7	22	9	3	6
Defeated in General Election	24	27	19	9	21	11	21	15	42	30	26	11

\*"Urban" for Senate covers four senatorial areas including five urban counties: Cuyahoga, Hamilton, Lucas, Mahoning, Trumbull. These have 43 per cent of the senators, with 37 per cent of the state's population.

"Urban" for the House includes nine urban counties: those named above plus Franklin, Montgomery, Stark, Summit. These nine counties send 40 per cent of the representatives, with 55 per cent of the state's population.

Note: In the Senate apportionment the four additional urban counties are combined with a rural county in each case, so that comparisons are not possible.

dropped to 101. Of the eighteen elected only three were newcomers to the State House.

One can well marvel that any candidates with previous experience were nominated from such aggregations of aspirants. In any area of multiple candidacies the voter needs intuition or a flash of inspiration to cast an intelligent vote. The task for the electorate is too great. Some method of curtailing wholesale candidacies needs to be found.

In November the voter has the guidance of the party label, and in 1938 he seemed to follow that lead, for 35 per cent of the incumbents were defeated in the general election as part of the nation-wide swing

towards Republicanism. In other years of the period defeats in the November election did not account for as much loss of experienced talent as did withdrawals, although in 1930 and in 1936 defeats were almost as large a factor as was the failure to run. In House elections the proportion of defeats in November was higher for city members than for those from the country, except in 1930. In the Senate elections, however, it was greater for the rural legislators, until 1940 (see Table III). This situation may be partially explained by the fact that the proportion of withdrawals among city dwellers was always higher except in 1938.

In spite of the evidence of turnover

TABLE IV  
*Party Membership of Senate and House with Percentage of New and Former Legislators*

	1930		1932		1934		1936		1938		1940	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
New:												
Democrat	8	41	9	36	7	43	14	55	2	13	8	26
Republican	2	27	4	23	3	40	2	8	10	60	2	17
Total New	10	68	13	59	10	83	16	63	12	73	10	43
Percentage	32%	53%	41%	45%	32%	62%	45%	46%	35%	53%	28%	31%
Experienced:												
Democrat	6	17	7	48	12	24	17	50	6	23	9	34
Republican	16	43	12	28	11	28	3	25	17	40	17	61
Total Experienced	22	60	19	76	23	52	20	75	23	63	26	95
Percentage	68%	47%	59%	55%	68%	38%	55%	54%	65%	47%	72%	69%
Total Members:												
Democrat	14	58	16	84	19	67	31	105	8	36	17	60
Republican	18	70	16	51	13	68	5	33	27	100	19	78
	32	128	32	135	32	135	36	138	35	136	36	138



which has been presented there are more "old-timers" to be found in Columbus than these figures indicate. This may be seen from Table IV, which shows the party distribution in each house for new and experienced legislators. A comparison of the following data with those presented in Table I will make this clear.

In the Senate in 1930, for example, although only about one-third of the incumbents were reelected, more than two-thirds had seen prior service. Not once in the six elections did the membership of the upper house include 50 per cent newcomers, although 41 per cent of the senators was the greatest number immediately reelected, until the high point of 1940. In 1938 one in four senators was returned. The Republicans gained twenty-two places, yet only ten were newcomers, twelve were back after voluntary or enforced absence from Columbus. The distribution of experienced members between the two parties is also of interest. In 1930 and again in 1938 the Republican group of "repeaters" numbered about half the total. In 1936 the Democrats reached almost 50 per cent with their "old-timers."

It is also of interest to note that except for 1938 the larger group of new arrivals was in the Democratic ranks. But, in the 1932 and 1936 presidential elections many more experienced Democrats were returned than were Republicans with prior service. In 1940, however, eight of the nine seats gained by the Democrats were filled by newcomers. All but two Republicans had served in some previous Assembly.

One case is worthy of mention as an illustration of how strong the pull back to the State House may be. In the Assembly chosen in 1932 one Republican senator was listed who had served seven previous terms. In 1934 he dropped out—he just did not file. In 1938 a House Republican who had served eight prior terms was this same veteran, back for another biennium. He returned once more in 1940, winning by a safe majority over his Democratic opponent.

This tendency may be further illustrated by the 1940 Assembly. In the Senate eleven members, 30 per cent, had been elected at least twice before. Two were back for ninth terms. The lower house contained 32 per cent with at least two Assembly terms to their credit.

The complete record for the House of Representatives is less favorable from the standpoint of experienced membership. In the non-presidential election years of 1930, 1934, and 1938 more than half the representatives were newcomers. The differences between Table I and Table III are not great until 1938. Here, although only one-third of the lower house incumbents were immediately reelected, 47 per cent had seen previous service. In 1940, with 62 per cent succeeding themselves, 7 per cent more were returned for non-consecutive terms.

In bi-partisan Ohio during the past decade the number of legislators immediately reelected, was naturally lowest in 1930 and 1938, when the Democratic and Republican revivals were most marked. On both of these

occasions, however, the rising party was represented by many experienced members, especially in the Senate.

Rural counties showed a greater tendency to reelect representatives than did urban counties. This was not true for the Senate in 1930, 1936, and 1938. Even in the rural areas, with a minimum of primary contests, however, there were large percentages of neophytes, due to the failure of the experienced legislator to file for reelection. The increased salary has diminished the number of withdrawals. Is the number of disinterested members large enough to dispute the stereotype of a legislator as a perennial Barkis?

Even though 1940 may indicate a trend towards the election of a more experienced body of lawmakers it still remains true that the voter in the urban constituencies is faced with a well nigh insoluble problem of selecting candidates from a multitude of aspirants. Widespread filing for primary contests and the high number of withdrawals must be further reduced if Ohio is to have legislators with the experience requisite for the most efficient functioning of its law-making body.

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## NEW YORK STATE EXTENDS MERIT SYSTEM

(Continued from Page 257)

expressed the fear that extension of civil service would bring in "outsiders," thus impairing home-rule rights of local jurisdictions.

Holding that the labor class has worked out unsatisfactorily in cities, the commission recommended that it not be established in counties. Such

labor jobs, it maintains, may be placed in the exempt class, as is the case in the state service, or in the non-competitive or competitive class, according to the decision of the commission or officer holding jurisdiction.

Although there was considerable opposition to the Fite-Bechtold bill both in and outside the legislature, legislators really had little choice but to approve its provisions. The shadow of the state's highest court hung over them. A few days before the 1941 session convened, the Court of Appeals reversed a decision of the lower courts that the State Civil Service Commission must conduct competitive examinations for public positions in local communities, acknowledging that the Fite Commission was considering the problem.

Yet in reversing the lower courts, the Court of Appeals reinstated the order at special term denying the petitioner's application without prejudice to its removal. In other words, if action were not taken within a reasonable time as a result of the commission's recommendations, the proceeding could be renewed and the courts again order the state commission to extend its jurisdiction to local units.

In effect, then, failure on the part of the legislature to act might very well have had one simple result, that of forcing upon the counties the jurisdiction of the State Civil Service Commission. Under the terms of the act, however, that is but one of three alternatives from which they may choose. From now on, the counties have only themselves to blame if their choices prove unhappy.

# The Case for the "Open Back Door"

*"If we keep the front door carefully guarded, the back door will take care of itself." — George William Curtis.*

By HARRY W. MARSH

*National Civil Service Reform League*

AS TIME goes on and we have more and more evidence of the advantages and disadvantages of legal requirements calculated to protect civil service employees from unjust removals, we find little that is new pointing to a solution of the problems of discipline in the civil service.

The early advocates of the merit system met the question as to how to provide for dismissals by the theory so clearly stated by George William Curtis: "If we keep the front door carefully guarded, the back door will take care of itself." In other words, the merit system intelligently and strictly applied to entrance to the civil service will effectively prevent opportunity for political appointments by an appointing officer. Such officer, if he should have a political motive in dismissing an employee, could gain nothing so far as the distribution of patronage is concerned. Under such circumstances he would doubtless make dismissals only "for the good of the service."

Nevertheless, these same early advocates of the merit system recognized the right of any civil servant to demand a statement of reasons for a dismissal and an opportunity to present his own side of the case

if charges were preferred against him. This being done, however, the question as to whether dismissal or any other form of punishment—suspension without pay, demotion—should follow was left solely in the hands of the appointing officer, except in so far as procedure prescribed in the law was reviewable in the courts. There was no recourse on the part of the employee for a reversal of the decision of the appointing officer. This is generally accepted as "the open back door."

At times circumstances surrounding dismissals have given rise to differences of opinion as to the sufficiency of the reasons for the disciplinary action taken. Unprejudiced observers may hold a different opinion on a case from that of the appointing officer. An example of this type of case may give point to this discussion.

A telephone switchboard operator, who is required to arrive promptly at 8:30 A. M. in order to have the telephone service of a department made available promptly to a large staff of employees, arrives ten minutes late on Monday. She is warned that lateness cannot be tolerated, particularly in the position which she holds, and that it must not occur again. She arrives five minutes late on Tuesday. Another warning is



administered and she affirms that she will be on time in the future. She is on time on Wednesday, but arrives fifteen minutes late on Thursday.

The telephone service has been seriously handicapped on the mornings when she is tardy. The head of the department, therefore, brings charges against the operator to dismiss her for successive tardiness. The employee makes an answer to the charges, admitting that she was tardy, with the explanation that she is the sole support of an invalid mother who is in need of a certain amount of care before the employee can leave for work. On the mornings in question her mother's condition was such that she could not reach the department on time. The appointing officer is sympathetic with the conditions under which the employee suffers but finds that in the interest of the service he cannot tolerate any tardiness in her particular position. He therefore makes the dismissal.

The humanitarian features of such a case lead observers to criticize the arbitrary power of an appointing officer to effect a dismissal in such a case without any further attempt to adjust conditions so that this employee, who is in every other way a perfectly satisfactory and efficient person, could continue in her job. It is such cases that have led organized groups of employees to bring pressure on legislative bodies to provide for a reviewing agency. Such agency—a civil service commission or an advisory committee or even the courts—would determine, independent of the appointing officer, the sufficiency

of the reasons for the disciplinary action and restore the employee to his former position if in its judgment the appointing officer's action was arbitrary or unfair.

### The Closed Back Door

This action by an independent agency to restore an employee over the objection of the appointing officer is generally characterized by the phrase, "the closed back door." Where such provisions exist in law, appointing officers usually throw up their hands and say, "What's the use!", when it comes to ridding the service of really incompetent employees.

Such provisions in the law do more harm than good because appointing officers will refuse to take disciplinary action for fear of being placed on trial themselves before the reviewing board. It is such provisions of law that have led to the general characterization of the merit system, usually by those who know but little about it, as one which produces stagnation of the service and a lackadaisical staff without loyalty to the executive heads of government.

Instances of unjust removal which can be demonstrated are so few as to be quite unimpressive as justification for legislation for a "closed back door." The recent account in the NATIONAL MUNICIPAL REVIEW<sup>1</sup> of a study made in a state which operated for about two and a half years under a merit system with a

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<sup>1</sup>"The 'Open Back Door'—A Case Study," by Edward H. Litchfield, NATIONAL MUNICIPAL REVIEW, February 1941.

so-called open back door gives no basis for the conclusion that, even under pressure of a change of administration, dismissals were made in any substantial number for purely political reasons or, for that matter, against the best interest of the service itself. When a merit system is newly installed in a state, political conditions are likely to develop which, after a period of time, will disappear from the scene so far as administration is concerned. It is true there will always be some political sniping at the merit system so long as political parties think they must depend on patronage as a means of livelihood.

#### **Findings Not Conclusive**

In the study referred to, 127 cases of dismissals were analyzed as representing unjustifiable dismissals because the State Civil Service Commission, after hearing them, so concluded. The question as to whether the commission's findings were impartially reached was answered affirmatively in the article because "not only did the commission follow the recommendations of a clearly non-political director in all but one instance but the dismissed employees belonged to a party which had representation on the commission equal to that of the party responsible for the removals."

Granting for the sake of argument that the reviewing agency was not motivated by political considerations, it does not follow that another personnel director and another commission might not have found many of the 127 cases meritorious, rather than unjustifiable, removals. In an-

other state, where an independent agency had power to reinstate dismissed employees, in approximately the same period of time fifty or more dismissed employees appealed. In no case did the reviewing agency find justification for reinstatement. The reviewing agency in that state was also composed of persons representative of both political parties. Does it follow that there were no unjustifiable removals represented in the fifty odd cases that came before that committee?

No conclusion can be drawn as to whether removals are justifiable or unjustifiable by the single process of comparing the differences of opinion between the head of the department making the removal and one reviewing agency, however honest and disinterested it may proclaim itself to be. Yet the author of the study, on the basis of these 127 cases, concludes that: "The open back door procedure in this jurisdiction has not been satisfactorily mitigated by the process of placing the names of the unjustifiably dismissed employees on reemployment registers for future certification."

Another false conclusion which seems to have been drawn from the 127 cases is that the open back door is in its least satisfactory form when it appears that four departments were responsible for 57 per cent of the dismissals and that one agency alone dismissed 30 per cent. It is difficult to perceive how the concentration of alleged unjust dismissals in any one department or any group of departments is proof of the failure of the open back door method.

The point of this whole matter is that the remedy for unjustifiable removals is not to be found in the arbitrary action of an independent agency authorized to reinstate the employee but to prevent the unjustifiable removal from ever occurring. This can be done by the use of intelligent and modern employment management methods in all of the operating agencies. In other words, every possible means of adjustment of personnel problems should be made before any dismissal action is taken.

The average operating head of a department cannot give his own time and attention to such matters. He needs a full-time personnel director and, if it is a large department, such a personnel director in turn needs an adequate staff to enable him to do justice to the personnel questions which are constantly arising in any government agency. The existing provisions of merit system laws which lead employees who are subjected to discipline to run to a reviewing board with an appeal, with the result that the operating head of the department concerned is placed on trial, has done more damage to the service as a whole than ever was done to the service by unjustifiable dismissals.

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### THE NEGRO VOTE IN NORTHERN CITIES

(Continued from Page 267)

The 1940 elections were a further illustration that economic conditions are having a more and more import-

ant influence upon the voting behavior of Negroes in northern cities. We might state it as a generalization that where the Negroes have had an opportunity to join the industrial proletariat they have swung more rapidly to the Democratic fold than in those sections where they have been confined largely to the field of domestic employment. An examination of the occupation statistics for Philadelphia, Pittsburgh, Detroit, Chicago, Cincinnati, and St. Louis shows that there are proportionately more Negroes employed in industry in Detroit and Pittsburgh than in Cincinnati and Philadelphia. The switch to the Democratic party took place more rapidly in Detroit and Pittsburgh than it did in Cincinnati and the Quaker City. The CIO unions in the steel, packing, and automotive industries have in general been more sympathetic toward admitting Negroes than the old line unions under the A. F. of L.

The behavior of northern Negro voters is more typical of the country as a whole than it was eight years ago but there is still a time lag. Among the well-to-do Negroes and among those whose livelihood is in no way connected with politics, the Republican tradition is still strong. On the other hand, the unionized and industrialized elements, the underprivileged who are dependent upon governmental aid, those connected with the underworld, and a growing number of young realists support the Democratic party.



# Here Are the Answers to 'Why Voters Don't Vote'

*Clayton Township, Missouri, voters  
find many reasons for failure to  
cast their ballots at summer primary.*

By SELWYN PEPPER, *St. Louis Post-Dispatch*

The returns are in from the poll in which the **League of Women Voters in Clayton Township, Missouri**, sought the answer to why voters didn't vote in the primary last August.<sup>1</sup>

Already the returns have startled the *St. Louis Post-Dispatch* into an editorial campaign for a change in the date of the primary and for the secret ballot—two reforms for which the League of Women Voters is also plumping in Missouri.

The results of the poll, outlined in the following article from the *St. Louis Post-Dispatch* of April 11, will encourage other communities to ask their non-voters similar questions.—EDITOR.

**FIFTY-THREE** per cent of 4,378 voters in Clayton Township who failed to go to the polls in the primary election last August did not vote because they were out of the state at the time, it was found in a survey by the League of Women Voters, completed today.

More than 9 per cent abstained from voting because they did not have enough information about the candidates, they indicated in replies to a league questionnaire. This was the second largest group. Eight per cent failed to participate in the state and county primary because they were not registered.

Other reasons for not voting, in the order of the frequency with which they were given, were: Illness on election day; "intended to vote but forgot"; fear of a non-secret ballot; "independent voter," that is, one who felt he should not participate in party primaries. Two per cent did not know

that there was an election, while 1.8 per cent thought the primary unimportant. Others gave their reasons as: reluctance to ask for party ballots; no interest in politics; too many offices to be filled.

## Preference on Change of Date

Asked what month they thought would be preferable to August for the primary, 28.3 per cent said they favored May, while 19.9 per cent advocated September. The findings accentuated the movement to change the date of the primary because so many voters are on vacation in August.

About 14,000 voters in Clayton Township, which includes University City, Clayton, Ladue, Huntleigh, and large unincorporated areas, received post cards asking them to tell why they did not participate in the selection of party candidates. Of 26,648 registered voters in the township, only 12,393 voted in the primary. Of those not voting who were thought to have registered 4,378 answered the questionnaire.

## Why They Didn't Vote

Grouping the reasons for not voting, the league prepared this classification: Absence, 53 per cent; need of more careful political education, 16.6 per cent; inertia, 9.3 per cent; physical disabilities, 5.9 per cent; ineligibility, 8.6 per cent; other reasons, 6.6 per cent.

Mrs. Virgil Loeb, chairman of a group of sixty-five women who made the study, said:

"The fact that 53 per cent of the non-voters who replied were absent from the state gives strong support to our contention that the absentee ballot law should be amended and that the

<sup>1</sup>See April REVIEW, p. 230.

date of the primary should be changed to a time more convenient to a majority of the state's citizens. The league favors September since a brief and intensive campaign is probably more desirable from the point of view of candidates and voters.

### Secret Ballot Move

"The fact that 122 persons refrained from voting because they feared the ballot was not secret is a serious matter. The thousands of signatures now being received from throughout the state in the league's campaign for the secret ballot indicates that a psychological reaction to the present method may be a real deterrent to voting and that the proposal for ballot reform will have widespread support.

"A shorter ballot with only those offices to be voted on which are responsive and responsible to public opinion is essential to intelligent voting. But those citizens who believe the laws need revision or that 'government is corrupt' ought to realize that non-voting is not a rational method for expressing their discontent.

"Voting is the average person's principal opportunity to share in the political life of his community. That so many people fail to realize the importance of the primary election requires serious study of those reasons which reach down to the roots of educational processes and of the governmental situation itself."

### Some Individual Replies

Some of the individual replies to the questionnaire follow:

"Do not care to vote straight party ticket ever."

"Put up decent, honest men whom we can trust, not professional politicians, then we will vote."

"Interested only in state and national politics."

"Because of our rotten situation, cannot reconcile myself to vote."

"Am a Republican, felt no use to vote, as I was sure Democrats would win anyhow."

"We had a baby—I was too excited to vote." (From a father.)

"Got there just too late, unfortunately."

"Confidentially, Missouri politics stink."

"I think the non-secret ballot is a Nazi 'ja' vote."

"Was treated bad by some University City people when we moved here."

"Wanted to vote for candidates on both Republican and Democratic tickets."

"Thought only taxpayers and land-owners could vote in the primary."

"Husband away; did not have his ideas to guide me."

### Information on Candidates Sought

Some of those answering the cards complimented the league for its interest but others scolded. One, for example, wrote: "Why don't you let men handle such matters? You could take better care of your homes where you belong."

Many asked for more information about the candidates, several suggesting that the information be sent them by mail. "An intelligent and honest history of each and all candidates by a prominent unbiased authority would help create active interest," one wrote.

# National Defense and the Cities

*Recent news on public service training for the emergency, fire fighting, housing, and other defense matters of interest to local governments.*

By DANIEL W. HOAN

*Division of State and Local Cooperation  
Advisory Commission to the Council of National Defense*

TO MEET the threat of totalitarianism, we in the United States must act for total defense. If every citizen and official does his part, the people of the United States will thus serve notice on all dictators to stay away from these shores. Not only must citizens and officials feel they should perform those duties assigned, but they must use their initiative to perform whatever emergency tasks arise.

In an article in the March issue of the REVIEW, I tried to describe in a general way the functions of the Division of State and Local Cooperation. In few words, it was set up, first, to communicate from one level of government to the other information on defense developments as they occur; second, to promote a better understanding on the part of state and local officials and citizens of the work in hand; and finally, to assist in development of that high degree of coordination and unity that is positively essential if our democracy is to survive.

The Division tries to perform its tasks in a democratic way. We have sought the advice of state and local public officials and of others familiar with the problems confronting these units of government. For example, in coming to a workable agreement on what should be done in dealing with the problems of in-service training of public employees and other emergency personnel matters, the Division called together representatives of the various active national organizations of local and state officials. Their conclusions were published in a report which has been widely circulated.

Similarly, those closely concerned with fire fighting problems shared in framing the "Suggestions for State and Local Fire Defense."

The Division plans to release from time to time news items on the national defense program as it affects local and state agencies, for use, if desired, in the regular publications of both state and local officials, as well as in unofficial but recognized publications such as the NATIONAL MUNICIPAL REVIEW. This is one of the ways in which we shall attempt to meet the ever increasing demand for information from state and local officials.

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## ***Public Service Training in the Emergency***

A progress report has been issued by the Division's Committee on Public Service Training in the Emergency. This report among other things points out:

1. With the exception of a few states and large cities, public service training programs for both state and local employees are far short of being adequate, even for those performing functions most closely related to defense.

2. Only about one-seventh of said employees are being reached by any in-service training programs.

3. Such programs are most advanced in the case of fire fighting and police service, even if they are inadequate to meet present needs.

4. Public service training under the George-Deen act marks an encouraging beginning, but there is a great deal more to be done.



5. There is a lack of understanding and appreciation on the part of some administrative authorities, as well as professional organizations, of the value, importance, and need of this work.

6. There is need that colleges, universities, and secondary schools give fresh consideration to the training of students for public service occupations.

### **Findings and Recommendations**

1. There is an acute need for in-service training in the fields primarily concerned with civil protection, such as fire, police, public health, and public works.

2. There is urgent need that appropriate federal, state, and local agencies, responsible for analysis, decisions, and activities, should promote such training. The Division of State and Local Cooperation should not hesitate to assume the initiative in sounding the call for such officers to undertake this duty.

3. There must be no hesitancy in calling local, state, or national conferences as needed.

4. Primary responsibility for training municipal officials and employees, whether for defense or not, rests upon the local governmental authorities.

5. Information, advice, and technical assistance in possession of the state or federal government should be made available to local communities. Where the training relates to defense, financial and other assistance should be furnished by the federal government to the state and local governments. There should be cooperation and coordination at the state level between all agencies sponsoring in-service training.

### ***Civilian Defense: Fire Fighting***

For the benefit of those who will read, study, or attempt to judge in any way the merits of Bulletin No. 1 of the Fire Series under the civilian

defense program, outlining a plan of local fire defense, it will be well to have in mind certain fundamentals which were in the minds of the members of the committee and others who shared in preparation of the report.

First, the federal government makes no claim to having in the service one or more master minds who can issue decrees or write out infallible rules to direct municipal officials in solving their fire fighting or any other local problems, either before, during, or after the present crisis.

Secondly, all those connected with the federal service, whether in the military or civil branches, recognize that fire fighting, like numerous other public services, is a purely local as distinguished from a federal function. It follows that no one in the defense agency, most particularly in the Division of State and Local Cooperation, desired to make the recommendations that would lead to state and local coordination and cooperation until we were urgently requested to do so by national organizations of local officers and fire fighters, not to speak of the necessities of the situation itself.

Third, it was naturally felt that, whatever agencies were set up to secure the required national unity during the crisis, when that crisis was over, every one of the powers, authorities, and duties that were local in nature should automatically revert to the local officers immediately after the passing of the emergency. Thus the framework of the recommended plan is of a civil defense and temporary nature only, set up neither by statutory rule nor by permanent authority.

It is conceded by the officers of all progressive-minded municipalities that all local units of government are duty-bound to bring their fire fighting activities, whether in the direction of fire prevention, equipment, or main-

tenance of standards, up to a minimum standard, as a basis of building an adequate fire fighting service to meet a crisis; that it is the duty of all local governments to so maintain their departments at all times, and that it is a real economy to do so.

It will be noted that the plan laid down strictly adheres to the policy that in the building of organizations to carry out a defense program, all existing agencies should be utilized to the utmost before any new ones are created. This explains that in recommending the setting up of the local defense fire chief and the state fire coördinator (both of whom should be members of their respective councils of defense), as well as any district fire coördinators, it was insisted that these men be taken from the actual fire-fighting services. The same theory was applied in recommending the adding of the fire alarm superintendent or the water works superintendent to local defense councils.

Local officials have long been clamoring for the release of civil defense instructions. This division has held back, first, so as to avoid needless mistakes, and, secondly, to get these reports out in proper order.

The local officers now have the first chapter on civilian defense. The question is, are these local officials now willing to go to work and put the plan into action? Hitler says, in effect, "It cannot and will not be done in a democracy because you do not have an arbitrary boss." It is up to local officers and citizens to give an answer.

As time goes on other bulletins will be issued describing how to build protection-shelters, procedure in blackouts, and many other parts of civil defense. The question now, however, is how generally and coöperatively will the state and local officials of this country act to perfect what is one of the most

important phases of civil defense—the actual fighting of fires in time of national emergency.

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### ***Small Industries***

Those who attended the regional meeting of the United States Conference of Mayors at St. Louis recently were informed by Mr. Robert L. Mehornay that the machinery for assisting small industries in getting parts of contracts to keep them busy has been placed in the hands of the Federal Reserve Banks, and that in these banks, as rapidly as possible, industrial engineers are to be available who can talk in the language of the small producer. Offices of the Defense Contract Service are now definitely located at each of the twelve Federal Reserve Banks and twenty-four branch banks. Local defense councils are also informed on this service. Business men and officials are therefore urgently requested not to journey to Washington to solve their local problems, but to take up such matters first with the appropriate local offices.

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### ***Rent Control and Housing***

More and more the problem of excessive rentals in certain defense areas and the question of remedies are attracting public attention.<sup>1</sup> The former Consumer Division of the National Defense Advisory Commission prepared a report outlining the text of a proposed state emergency fair rent act. This provides for establishment of a state emergency rent commission, to be appointed within ten days after passage of the act, and enumerates the powers and duties of a commission to make and enforce its determinations in achieving reasonable rents.

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<sup>1</sup>See also *Rent Control in War and Peace*, by Edith Berger Drellich and Andrée Emery, published by National Municipal League, price fifty cents.

It is agreed that this is but a palliative and that the soundest and most certain remedy is the building of houses.

Defense Housing Coördinator C. F. Palmer announced on April 12 that contracts have now been let for a total of 48,487 units—approximately 29,507 for civilian industrial workers and about 18,980 for married enlisted personnel. These units are located in forty-three different states and territories, comprising 169 projects in 103 localities.

Because of increasing shortages, it is now contemplated that \$150,000,000 additional for government-constructed houses may be made available in the near future. The measure to provide these funds has already passed the House of Representatives and was reported favorably by the Senate Buildings and Grounds Committee.

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### ***Labor Disputes***

Citizens, public officials, labor and employers, must all have a feeling of relief as a result of the President's action in setting up the new National Defense Mediation Board, headed by Mr. C. A. Dykstra, to supplement the work of existing mediation agencies. There is evidence that the public was receiving the impression that strikes were altogether too numerous in spots that appeared vital to the defense program.

Mr. William S. Knudsen recently stated that the next four months will be crucial in the history of the world. Every person who loves democracy will be happy at the thought that both the managers of industry and the employees seem eager to coöperate with the new mediation machinery.

### ***Price Stabilization***

Those familiar with price skyrocketing during the World War will surely welcome the establishment of the new Office of Price Administration and Civilian Supply. The President has placed at the head of this important division Leon Henderson, of the former Price Stabilization Division.

Purpose of the order setting up the new office is to prevent profiteering and unwarranted price increases; to assure the necessary supply of goods for civilian requirements after military needs have been met, and to see that there is an equitable distribution of the materials and commodities which are available for civilian use.

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### ***Community Facilities in Defense Areas***

Localities near rapidly expanding military camps and defense industries that are confronted with needs for additional community facilities will be interested to know of the progress made with reference to the proposed fund of \$150,000,000, recommended by the President to assist in meeting the cost of streets, sewage systems, schools, housing, recreational facilities, etc., in and about such projects where a defense-connected need exists. The Committee on Public Buildings and Grounds of the House of Representatives has held hearings and is now considering this general subject.

The Division of State and Local Cooperation, through its field representatives, has been making a survey of needs for such facilities in and about defense areas, and the extent to which localities or states could meet estimated costs.



# The Researcher's Digest: May

*Living costs and public wages; California finances; Milwaukee lakefront problems; pension funds; sewer rentals; football and national defense; building codes and Schenectady.*

ARE public employees really underpaid? Or overpaid? A sidelight on this question from an unusual point of view appears in a recent issue of *Just a Second* of the **Detroit Bureau of Governmental Research**. The bureau worked out a table showing the wages of a stenographer in the city employ—at a base rate of \$2,220 a year which is the average wage of city employees. In the table money wages for each year are translated into real wages in terms of the yearly index of the cost of living in Detroit. The bureau discovered some rather startling facts. In every year, even in those depression years when the money wages of this typical city employee were drastically cut, the employee's real wages were substantially above the \$2,220 of his nominal salary. The table was worked out as an argument for the so-called "St. Paul" plan whereby public salaries are regularly and automatically adjusted to living costs.

## **California Finance**

In spite of the plethora of reports issued from state capitals on all manner of subjects, and in spite of the less complete but still not inconsiderable volume of information that comes from city halls and county courthouses, it is a rare state in which one may readily see the financial picture as a whole and as a true whole. To piece together the fiscal puzzle for one state, California, and to present it in full over a forty-year period, the **California Taxpayers' Association** has gone to endless trouble and research in compiling its *Income and Expenditures of Government in California* (1941). In forty-three pages of text and charts, this revision of a 1936 handbook published by the same or-

ganization gives impressively complete data on—to name only some of the sections covered—total income of state and local governments in California, broken down into tax and non-tax income and calculated on a per capita basis as well; flow of funds through the complicated subvention system; state and local tax collections divided as to kind and source; state and local expenditures, broken down into types of governmental units; state and federal grants-in-aid; bonded debt, state and local; assessed valuations and tax rates.

As a climax the handbook describes in some detail every kind of state tax and gives its history. This work should be of inestimable assistance in almost any kind of governmental research in California and a model and an aid in research outside the state as well.

## **Disposing of a Shore Line**

What to do with a Great Lake is Milwaukee's problem, and the **Citizens' Bureau of Milwaukee** was equal to the occasion when the **Citizens Lake Front Committee** called on it for assistance. A forty-page mimeographed book of findings and recommendations (*The Lake Front in Milwaukee County*) was produced to assist the associated civic organizations and governmental bodies which are concerned with the best development of Milwaukee County's twenty-seven miles of frontage on Lake Michigan. The study concerns itself with the problems connected with the sixteen miles of privately owned shore line, as well as with the eleven miles of public frontage. Harbors, parks, commerce, business, and highways are involved in the report. To other cities

with riparian or coastal interests the Milwaukee Bureau's study may be of considerable interest and aid.

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### **Washington Police Pensions**

Another special study which could bear on similar problems in other jurisdictions is *Police Relief and Pension Funds in the State of Washington*, mimeographed report published by the **Bureau of Governmental Research of the University of Washington**. The principal provisions of the Washington law are analyzed, the workings of the plan are laid bare, and findings and conclusions follow. Chief recommendation is that the larger cities should adopt an actuarial pension system in place of the present system which places increasingly growing and unpredictable burdens on municipal exchequers.

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### **Hartford on Sewers**

Hartford's Mayor asked the **Governmental Research Institute** for information on the extent to which other municipalities are making a sewer rental or sewer service charge as a means of financing the operation of their sewer systems. Interviews, correspondence, technical articles and reports were, accordingly, the basis of the eleven-page report which the institute recently issued. Without making recommendations, the institute summarizes practice in cities throughout the country, entering into such matters as state enabling acts, legality of sewer rental charges, use of rental revenue, and basis of rental charges.

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### **Twenty-seven Cents and Rochester**

"One shudders to think of the neatly gilded bricks that will be handed to local taxpayers all over the country in the blessed name of national defense," remarks the **Rochester Municipal Research Bureau** in its March issue of

*Municipal Research*. This apprehensive comment was elicited by the restoration of football to the health program of the Rochester schools, with the national defense excuse, a restoration which the bureau finds financially indefensible. Says the bureau: "Under present conditions, Rochester would not be justified in accepting a life-size, solid gold statue of Haile Selassie if it required an expenditure of more than twenty-seven cents to locate it in some public square."

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### **Fire in a Night Club**

A night club fire across the Hudson River leads the **Schenectady Bureau of Municipal Research** to suggest that the small communities neighboring the city join hands in formulating building codes which would not only protect themselves but protect also the city of Schenectady, which already has a modern building code. A uniform code for all the communities in the area is the goal which the bureau applauds.

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### **That Readers May Run**

A new wrinkle in research bureau reporting is the advice which **New Haven Taxpayers, Inc.**, gives to its subscribers at the head of a mimeographed page on *Reliability of Statistics*. "In a hurry?" asks the bureau, "Then read only underlined words." Of some 800 words in the report, only about 150 are underlined.

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## **Research Bureau Reports Received**

### **Building Codes**

Building Regulation and Fire Prevention Stop at the City Line. **Schenectady Bureau of Municipal Research**, *Research Brevities*, March 26, 1941. 1 p. mimeo.

### **Finance**

Cost of Government in Canada—Provincial Government 1939. Citizens Research Institute of Canada, Toronto, *Canadian Taxation*, March 26, 1941. 4 pp.

Income and Expenditures of Government in California, 1900 to 1940. California Taxpayers' Association, Los Angeles, *The Tax Digest*, January 1941. 43 pp.

### **Harbors**

The Lake Front in Milwaukee County. Citizens' Bureau of Milwaukee, December 1940. 45 pp. mimeo.

### **Municipal Government**

An Outline of the Government of Detroit. Detroit Bureau of Governmental Research, Inc., February 1941. 15 pp. chart. mimeo.

### **Pensions**

Police Relief and Pension Funds in the State of Washington. Bureau of Governmental Research, University of Washington, Seattle, February 1, 1941. 16 pp. mimeo.

### **Personnel**

About a Salary Policy. Detroit Bureau of Governmental Research, *Just a Second*, March 25, 1941. 2 pp. mimeo.

### **Relief**

Relief Rolls Vary with the Size of Grant per Family. Citizens Bureau of Governmental Research Inc. of New

York State, Albany, *Bulletin*, March 24, 1941. 4 pp.

### **Sewers**

A Brief Report on the Practice of Financing Sewers by Rentals or Service Charges. Hartford (Connecticut) Governmental Research Institute, Inc., March 1941. 11 pp. mimeo.

### **State Aid**

State Aid Discriminates Against Schools Located in Milwaukee County \$500,000 Annually. Citizens' Bureau of Milwaukee, March 8, 1941. 10 pp. mimeo.

### **METROPOLITAN ATLANTA**

(Continued from Page 263)

Consultant Service report. Four recommendations are concerned with the relations of city and county with regard to certain specific functions—a joint master plan for park and recreation development, a joint vocational education program, consolidation of city and county health departments, and the annexation of some unspecified areas to the city. Of these, only the consolidation of the health departments, urged by the survey, is of major administrative importance.

Functional consolidation obviously offers the line of least resistance along which metropolitan integration can advance in the Atlanta area.



# Contributors in Review

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AS A member of the staff of the National Municipal League's Consultant Service during its 1937-38 Atlanta survey, **Doris Darmstadter** (*Metropolitan Atlanta*) has followed that situation for some time. She has also observed the metropolitan problem in previous associations with the Pennsylvania Commission to Study Municipal Consolidation (Pittsburgh), the St. Louis City and County Metropolitan Development Committee, and the Citizens League of Cleveland. Recently she has been collaborating with her husband, Thomas H. Reed, in governmental research and writing.

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FOR the past seventeen years a teacher at Kent State University in Ohio, **Mona Fletcher** (*Wanted: Experienced Legislators*) is now assistant professor in the Political Science Department. She is also an officer of the Social Science Section of the Ohio College Association. A lady who believes in combining practical politics with academic work, Miss Fletcher was a delegate to the State Republican Convention in 1940.

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A NAME which has appeared on the covers of numerous books and pamphlets on political science is that of **Harold F. Gosnell** (*The Negro Vote in Northern Cities*). Voting and politics are no new subject for him. In 1924 he produced *Boss Platt and His New York Machine*; in 1927, *Getting Out the Vote*; *Why Europe Votes*, 1930; *Negro Politicians*, 1935; *Machine Politics*, 1937; and as co-author with Charles E. Merriam, *Non-Voting*, in 1924, and the *American Party System*, 1929 and 1940. Dr. Gosnell is associate professor of political science at the University of Chicago. He has been associated with the Commission on Recent Social Trends, the National Resources Planning Board, and the Bureau of the Budget.

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A WIDE experience in the field of civil service and civic activity has been the portion of **Harry W. Marsh** (*The Case for the "Open Back Door"*). He was formerly civic director of the New York City Club, later deputy commissioner of the Department of Public Welfare of New York City, and more recently personnel director of the state of Connecticut. He is at present field secretary of the National Civil Service Reform League, which he formerly served as assistant secretary and secretary.

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EVER since the *Civil Service Leader* came into being a year and a half ago, **Morton Yarmon** (*New York State Extends Merit System*) has been state editor of this New York weekly. He assisted in the handling of public relations for the New York State Commission on Extension of the Civil Service, which recently submitted its report to the New York State legislature. Mr. Yarmon has been a contributor to various magazines, notably *The New Republic*.

# News in Review

## City, State, Nation

*Edited by H. M. Olmsted*

### New Adoptions Swell Manager Ranks

#### *Port Huron and New England town meetings approve charter changes*

**PORT HURON, Michigan**, on April 7, voted 3,177 for and 3,074 against the proposed manager charter; the plan went into effect May 5.

Both the town and the village of **Northfield, Vermont**, are considering the manager plan jointly. At the annual village meeting the trustees of the village were authorized by a vote of 120 to 45 to appoint a manager in case the town likewise votes in favor of a manager. It is expected that a special town meeting will take place soon to consider the matter.

The town of **Manchester, Vermont**, voted at its March town meeting to employ a town manager and one is already on duty.

The manager plan was adopted at the town meeting in **Poultney, Vermont**, in March.

At town meetings on March 17, **Island Falls** and **Sherman Mills, Maine**, are reported to have adopted the town manager plan.

After four years experience, the town meeting of **Middlebury, Vermont**, on March 4, endorsed the manager plan, 535 to 158.

At its March town meeting **Amesbury, Massachusetts**, voted to appoint a committee to study the plan.

The Citizens' League of **Wallingford, Connecticut**, is working on a plan to consolidate the town and borough governments under a council-manager

charter. A delegation from the league recently visited the town of West Hartford to investigate its manager plan.

On April 15 the town meeting of **Enfield, Connecticut**, voted approval of a draft of a legislative act to place Enfield in the town manager-council classification. The legislature is expected to pass the draft, in which case a local referendum will be held. According to Philip J. Sullivan, publisher of the *Thompsonville Press*, the plan has strong possibilities of success on the referendum.

The city manager-P.R. charter recently prepared for **Dunkirk, New York**, has been submitted to the city council for ratification and submission to the voters of the city. Thus far the council has refused to consider the new charter under the plea that one part is illegal—the matter of tax collection for the town of Dunkirk (within which the city is situated) and the city. The charter commission, legally appointed to draft the new charter under the state home rule law, intends to ask for a court order to force submission of the charter to the voters.

**Cheboygan, Michigan**, voted against a proposed manager charter, 1,192 to 862.

**East Grand Rapids, Michigan**, has been placed in the official directory of council-manager cities by the International City Managers' Association. It has had a manager since 1932.

In **Zebulon, North Carolina**, a petition reputedly representing more than 25 per cent of the electorate was presented to the Board of Elections on March 27 by Chairman Moser of the Zebulon Junior Chamber of Commerce, but was declared invalid by Attorney-General McMullan, to whom it was referred by the secretary of the Board of Elections. This ruling was based on ing within two months of any general legislation prohibiting special ballot-

election, one being scheduled for Zebulon on May 5, whereas a referendum must be called within forty days after submission of a petition. A new petition must be prepared a month or more after the general election to meet present requirements.

**Bryan, Ohio**, has voted 819 to 24 in favor of a charter commission and elected a commission of fifteen to prepare a new charter that can become effective January 1, 1942.

Mayor Frank A. Homan of **Fresno, California**, suggests a change there from commission government to the manager plan.

A proposed constitutional amendment in **California**, to establish a state manager who would take over the duties of the present director of finance and administer the routine business of the state, received a committee recommendation on April 14. The amendment is sponsored by Senator Jerrold Seawell of Roseville.

House bill 99 in the **Washington** state legislature, which would have permitted cities under 20,000 population to adopt the manager plan, died in the rules committee.

In **Drummondville, Quebec**, city officials and public organizations are stated to be studying the manager plan.

### ***Council-Manager Cities Make Good Showings in Contests***

In three nation-wide intercity contests for 1940—fire, health, and traffic safety—cities under council-manager government made showings out of proportion to their relative numbers.

In the national fire waste contest, with more than three hundred cities competing, one manager city, Salisbury, North Carolina, won first place in its population group (cities under 20,000) and twenty-one cities, or 36 per cent of the fifty-eight receiving honor-

able mention in all groups, were manager cities.

In the city health conservation contest, with 133 cities participating, two of the ten honor-roll cities have the manager plan; they are Hackensack, New Jersey, and Pasadena, California.

In the national traffic safety contest, with over four hundred cities participating, the manager cities Dallas, Texas, and Kansas City, Missouri, tied for the national grand award and for first place in their population group; Watertown, New York, won first place in the 25,000-50,000 group; Ames, Iowa, won third place in the 10,000-25,000 group; and three other manager cities won honorable mention.

### ***Superior Starts Manager Government***

The five-hundredth manager plan city<sup>1</sup> moved into high gear April 15 when the new council of **Superior, Wisconsin**, took office. The city's first manager is soon to be appointed.

The new council of seven, composed entirely of political neophytes, was swept into office at the general election on April 1, receiving 84 per cent of the total 11,754 votes cast, and 75 per cent of the total possible vote in the election. The average voting strength of the seven winning nominees was more than twice that of the three unsuccessful candidates.

Superior approved manager government on April 2, 1940, by a vote of 7,320 to 5,055. At that time a central committee composed of members of the League of Women Voters and labor organizations, businessmen, and other individuals, conducted the campaign. Subsequently the same committee drafted, endorsed, and campaigned for the seven candidates who were finally

<sup>1</sup>See NATIONAL MUNICIPAL REVIEW, April 1940, page 247, May 1940, page 285.



elected to the council. Those elected include a doctor, a banker, a college professor, and four representatives of labor groups in the community.

The primary was held on March 12, 1941, at which time the central committee slate was opposed by seven of the eleven incumbent officeholders, a labor-endorsed slate three members of which were also on the central committee slate, and eight other candidates. About half of those entered in the primary were laboring men, holders of union cards, or labor-endorsed. However, the central committee slate polled 57 per cent of the total 10,249 votes cast, leading all other candidates by a substantial margin. Nominated to oppose them in the final election were four incumbent councilmen, a former councilman, a former mayor, and a present member of the County Board of Supervisors.

Three of the four incumbents and the former councilman withdrew two days after the primary and urged unanimous endorsement of the committee slate.

Both the primary and general elections were marked by a lack of vigorous campaigning. A few newspaper advertisements, radio talks, and the circulation of a pamphlet giving pictures and histories of the central committee nominees, constituted the main indications of a campaign.

The trend of public opinion in Superior has continued steady since the weeks just prior to the adoption of manager government in 1940. Generally, continued high taxes and a property reassessment which fell heavily on the small homeowner brought about a condition leading to present developments. As in the election on the form of government, the nomination and election of the new councilmen can be best interpreted as a "negative" rather than a "positive" vote; the thoroughness with which the sweep was made

is indicative of the fact that Superior voters now expect something better.

MAX P. HEAVENRICH, JR.

Superior City and County  
Economy Association

### ***Washington Cities Aided by State Legislation***

Over twenty bills sponsored or favored by the Association of Washington Cities were passed at the recent biennial session of the Washington legislature. Necessitated by an accumulation of local administrative problems, this large body of municipal legislation will grant a greater degree of local autonomy, considerably broaden city powers, and enable cities to meet new and increasing responsibilities more satisfactorily.

Major attention during the three preceding sessions had been given to heavy fiscal programs which sought a solution to acute financial difficulties. With these programs—which culminated in the 1939 gas tax and liquor fund allocation laws—out of the way cities were able for the first time in years to devote almost an entire session to improving general municipal statutes. By passage of so many remedial bills, the 1941 session is now recognized as one of the most successful from a municipal standpoint. Among the more important measures adopted were the following:

1. Authorizing cities to appoint non-residents to municipal positions;
2. Authorizing creation of protected reserve funds for the advance planning of public works;
3. Authorizing establishment of sewage systems on a utility basis and the combination of sewage and water systems for administrative purposes;
4. Removing the one-mill limit on tax levies for park purposes;
5. Extending governmental immunity to city fire equipment when used beyond municipal limits and

extending protection of firemen on non-city work;

6. Authorizing governing bodies to make major extensions and betterments of municipal utilities without a separate vote of the people;

7. Authorizing officers of small municipalities to transact business with the city under specified limitations;

8. Authorizing a limited compensation for non-salaried officers in third and fourth class cities;

9. Removing county domination and control of municipal elections in certain cities;

10. Authorizing cities to levy excise taxes on public power districts;

11. Changing the positions of city clerk and attorney in fourth class cities (300 to 1,500) from an elective to an appointive basis;

12. Authorizing cities to unite, in one local improvement district, small non-contiguous improvements without petition on the part of property owners.

In addition, cities were instrumental in causing the defeat of a number of bills deemed detrimental to municipal interests. Among these were bills to extend state control over municipal personnel; to reduce the municipal share in the proceeds of real estate sales for delinquent taxes; and to remove city immunity for torts arising out of the exercise of governmental functions.

CHESTER BIESEN, *Executive Secretary*  
Association of Washington Cities

### ***Decentralization in New York City***

The third report of the Urban Land Institute on large cities of the United States deals with New York; its findings and recommendations were made public April 19. Recognizing that New York is unique among cities in many respects the report, prepared by Robert H. Armstrong, chairman of the board of the Institute for Economic Research, and Homer Hoyt, principal

housing economist for the Federal Housing Administration, takes into account three current trends: (1) the shift away from Manhattan to other boroughs of the city; (2) a tendency away from the New York metropolitan region to other parts of the United States; and (3) international trends affecting the whole country and inevitably exerting a strong influence on New York City as the dominant financial center and port of North America.

Specific proposals designed to reverse or retard some of the adverse current trends and to make for municipal revitalization that will in turn attract new business and industries and create new taxable assets include the following:

(1) Adoption of a master city plan that will provide among other things for the systematic wrecking of structures that fall below the minimum standards of decency and then gradually rebuild, according to a long-range program, certain close-in areas into livable neighborhood units, each with its own school, shopping facilities, parks, and theatre;

(2) Coördinated action to consolidate various duplicating and overlapping governmental bodies in New York City, Westchester County, and Nassau County, possibly through annexation of these areas;

(3) Assessment of real estate on a basis justified by current earnings (but to do this at present at one stroke would so lower total assessed values in New York City, the report states, that the city would be unable to meet its obligations);

(4) Lower municipal taxes by effecting certain economies in local government and thus encourage present industries to remain and attract new ones;

(5) Curb unfair labor practices said to be driving industries out of the city;

(6) Enlist the aid of local and federal governments in condemning low-value land for rebuilding into homes for middle-class families close to centers of employment;

(7) Relief of traffic congestion including restrictions on cruising taxicabs and provision for better parking facilities for freight and passenger automobiles, following an expert study;

(8) Provide a freight tunnel under the harbor to connect Brooklyn and Queens with the south and west.

The third annual report of the City Planning Commission of New York City, made public April 20, stressed the decreased rate of growth and the resultant serious effects on city finances, and stated that the city, under its present limitations, cannot meet the demands for capital improvements. It stated: "Checking deterioration in the older sections and rehabilitating slum areas is not only socially desirable; it has become imperative if the city is to maintain a solvent fiscal position. But rehabilitation of old areas cannot be viewed as separate and distinct from the problems of new sections."

### ***New Hampshire News***

*Larger Legislature.*—The lower chamber of the New Hampshire legislature will be increased from 423 to 443 if the proposed reapportionment plan is passed by the present legislature. Sixty-five towns would be affected, fifty-five of which would have representation reduced. If the measure passes, a constitutional convention will probably be called to reduce the number in the House of Representatives. Former U. S. Senator George H. Moses, as presiding officer of the last constitutional convention, has the power to call such a convention. When approached on the question he replied, "Apparently we will have to take some action to cut the size of the House—to draw up

an amendment to the constitution would be cheaper than the cost of rebuilding the State House."

*Fiscal Agent.*—The New Hampshire legislature recently passed an act providing for a continuation of the fiscal agent for Coos County. This measure is practically the same as the one passed in 1939 which expired April 1, 1941. The fiscal agent of Coos County has all the powers of the county commissioners. He possesses dictatorial powers over the county's finances. No funds may be spent without his approval and his authorization to borrow such sums as he deems necessary to meet the demands on the county. He is appointed by the governor and council and receives a salary of \$3,500. The system of fiscal agent is not uncommon in New Hampshire; several towns operate under it. This phenomenon is all the more interesting in a state where the democratic town meeting is a cherished institution. It is also a state without a town or city manager, whom, it is feared, might be more dictatorial than the traditional town officers. Actually the town manager law would permit a manager to exercise much less authority over fiscal matters than a fiscal agent.

*Maine-New Hampshire Police.*—A two-way radio communication between the Maine state police radio station at Wells, Maine, and the New Hampshire state police headquarters at Concord, has been established. This permits towns and cities in both states to establish better coöperation for police protection.

LASHLEY G. HARVEY  
University of New Hampshire

### ***Subway Strike Threats Bring Anti-Sabotage Law***

Following a public hearing on April 14 Governor Lehman signed the Wicks bill setting up criminal penalties for



sabotage in connection with subway, street-railway, or bus lines and for employees leaving unattended any cars or busses given into their care. The bill had passed the legislature almost unanimously, following threats of a subway strike in New York City in case the city, now owner and operator of all the subways, refused to satisfy the Transport Workers Union by a new contract to replace the existing one, inherited from the former private companies and expiring June 30.

Mayor LaGuardia has asserted that New York "does not and cannot recognize the right of any group to strike against the city." The union claimed that the Wicks bill was anti-strike legislation, but Governor Lehman denied this and pointed out that it applies to subway trains and busses the protection that the law has afforded railroad trains for fifty years.

The city holds that it is governed by civil service regulations in its employment practices concerning its subway employees, and has taken steps toward an adjudication of this point.

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### ***Public Opinion Registered by Voting Machines***

Residents of Summit, New Jersey, were recently given an opportunity to express their opinions on two questions—one of local interest only; the other of national import. On March 31 and April 1, by means of two voting machines set up in the railroad station, commuters and others interested expressed their opinions as to whether there should be a redistribution of pupils to alleviate overcrowded conditions in the central high school and whether the navy should convoy shipments to Great Britain. The "noes" prevailed in both instances by margins of fifty-five and six votes respectively.

### ***Merit System for Indiana and Kansas***

Kansas became the twentieth state to adopt the merit system for its employees when the legislature passed a new state-wide civil service act just before adjourning on April 6. Indiana adopted a "state personnel merit system" in the previous month, thus becoming the nineteenth merit system state.<sup>1</sup>

A civil service law on the Kansas statute books has been inoperative for many years. The new law, which becomes effective June 1, covers all state agencies except the Department of Social Welfare, the Board of Health, and two other agencies, which already had established merit systems under the rules of the federal social security act. Exemptions from the classified service, however, include legal positions and state highway patrolmen (except for selection and appointment). Present employees must pass a qualifying examination and be approved by the appointing authority. Service to municipalities may be furnished on a cost basis. The Kansas act sets up a three-member board, appointed by the governor. The director is to be selected, without residence restriction, from the three highest candidates according to a special examination committee appointed by the board.

The legislatures of New Hampshire and Nebraska, according to the April *News Letter* of the Civil Service Assembly, have been considering state-wide merit system proposals; the Arizona, North Dakota, Oregon, and Washington legislative sessions ended without favorable action on pending civil service bills.

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<sup>1</sup>See also "Citizen Groups Coöperate to Pass Indiana Merit Bill," page 297, this issue.

### ***State Reorganization Study for Montana***

The legislature of Montana has adopted a state reorganization bill under which "the governor is authorized and directed, with the aid of an advisory committee and consultants, to make a comprehensive study and review of the entire organization structure of the state government, including every agency, for the purpose of developing and recommending a program of improvement and economy, making such changes as will serve to simplify and modernize the organization and procedure of the state and aid in securing the maximum return in public services for each dollar of state revenue."

The Governor's Committee on Reorganization and Economy consists of two senators, two representatives, and two other citizens, serving without compensation; it is to counsel and assist him in directing the study, determine what recommendations shall be put into effect, make a report to the legislature, and aid in publicizing the report and making the recommendations effective. The governor is empowered to employ an experienced organization to make the complete study, upon which a report is to be ready by November 15, 1942.

In view of the prospective survey the legislature killed several bills proposing organization changes or investigations, including civil service proposals recommended by Governor Ford and a study of public school finance. Likewise, action has been held up on a large number of definite recommendations of a joint Senate-House committee which reported various weaknesses in the state government and the need of thorough study.

### ***Federal Merit System Adds 125,000***

On April 23 approximately 125,000 more government employees were placed in the federal merit system, when President Roosevelt signed an executive order applying to higher administrative, professional, and technical posts as well as intermediate and lower positions, and, for the first time, to lawyers. The order was made possible by the Ramspeck act, and its application to lawyers represents an acceptance, with certain minor modifications, of a plan recommended by a majority of the Committee on Civil Service Improvement.<sup>1</sup>

Lawyers will be placed in an "unranked register" after passing examinations, thereby having equal opportunity to be appointed to positions. The President is to name a committee of lawyers to assist the Civil Service Commission in working out details of future recruiting of lawyers, to obtain the best talent available.

The Civil Service Commission is also to begin consultations with federal agencies to determine which positions should properly be exempt from civil service requirements because of their policy-determining character.

Including the number just added, Harry B. Mitchell, president of the Civil Service Commission, estimated that there are a million federal employees now under the merit system, nearly 400,000 more than eight years ago. Virtually all federal employees are said to be now under the merit system except those of the Work Projects Administration, the Tennessee Valley Authority, and assistant United States attorneys.

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<sup>1</sup>See this REVIEW, March 1941, page 164.

### Citizen Action

*Edited by Elwood N. Thompson*

## Roundup—

**Y**OU may have been mildly surprised that this column, after six months of scanning the civic horizon, no longer confines its remarks to the type of citizen organization that is interested solely in governmental affairs. . . . Our diligent searches through high stacks of printed material prove that organizations of all types are laying increased emphasis on the problems of citizenship and good government, a trend we think will interest you as much as it does us. So we'll continue to give as broad a civic picture as we can find in material from all parts of the country.

Citizenship Day or "I Am an American" Day (see page 198, April issue) will be here on May 18—just about the time this issue of the REVIEW reaches its readers. We hope next month to carry as complete a summary as we can of the various celebrations which are held. . . . Among the best preliminary material we have seen for the use of the new voters in the training period prior to the induction ceremony is the **Dane County (Wisconsin) A Guide for Young Voters**, issued by the central committee in charge of the program. . . . An outstanding job also has been done under the direction of the **Extension Division of the University of Illinois**. A complete outline has been prepared setting forth in detail the procedure to be followed by county and local units sponsoring the program. The division has also issued *Your Business as a Voter*, an excellent manual for the instruction of new voters who are to be inducted.

Essay contests are certainly not a new idea, but **Civitan International** has been active in their sponsorship for

a good many years, and specifically in the civic field. The organization's annual contest, which is entered by thousands of high school students each year, carries three prizes of \$100 each to be applied by the winners to the cost of going to college. The general topic on which students write is "Good Citizenship."

Frequently a community is in need of so many improvements and reforms that a citizen organization anxious to sponsor a specific project has difficulty in making a choice. And too often it chooses one which has very little popular support, with the result that it has the added task of educating the public to the value of whatever it is proposing. . . . To avoid just this situation, the **Junior Chamber of Commerce of the Tonawandas (New York)** conducted a comprehensive survey of public opinion by a door-to-door canvass before embarking on a civic betterment campaign. Consequently the organization is now prepared to launch several community projects with confidence that it is sponsoring what the public wants.

At the present time almost every citizen organization is turning its attention to some aspect of the national defense program and particularly its effect on the community. For those who have the responsibility for arranging discussion meetings (of almost any size) on defense subjects, the **American Association for Adult Education** has an excellent pamphlet entitled *Discussing Your Defense*.<sup>1</sup> It contains a list of suggested readings, instructions for the group leader, and other pertinent material.

The April issue of the **Maryland League of Women Voters Newsletter** announces that the **Montgomery League** in response to public demand is open-

<sup>1</sup>This may be obtained for 10 cents from the association, 60 East 42nd Street, New York City.



ing headquarters two mornings a week in the Public Library. Here is evidence of a citizen organization which has made a definite place for itself in the community.

As we look over the publications of the state **Leagues of Women Voters** we are impressed with the number of meetings and conferences they carry on in centers throughout the states. Apparently the women have the time—or make it—to attend frequent sessions which provide an excellent opportunity for them to discuss and exchange views with fellow-members on questions of state- or nation-wide interest.

The twelfth annual **Institute for Education by Radio**, which is sponsored by Ohio State University, was held at Columbus May 4-7. The purpose of the institute is to provide an opportunity for joint discussion by broadcasters, educators, and civic leaders of the problems of educational broadcasting. A wide variety of subjects was covered including broadcasting by women's organizations, by national organizations, public relations broadcasting by schools, and others.

Although election time is still more than six months away, New York City is full of political rumors and predictions. Not to be out of the stream, the **Citizens Union** has already formally notified Mayor LaGuardia that it intends to support him for nomination and election in November.

R.M.W.

### ***Citizen Groups Cooperate To Pass Indiana Merit Bill***

From the eighty-second session of the General Assembly of Indiana emerges one measure which is of great significance to the state. It has been familiarly known as "the institutions merit bill," and became a law without the Governor's signature. He could not bring himself to approve the method of

appointment of the board provided in the measure, although he agreed with its general objectives.

About twenty-five hundred positions are thrown open to competitive examination by the act. Twenty-five hundred more positions in the state service already operate under the Indiana merit plan which also covers the personnel of the county departments of public welfare.

The measure was sponsored by the **Indiana Merit System Association**, a group of thirteen state-wide organizations banded together for the purpose of promoting the extension of the merit system. These organizations are: Junior Chamber of Commerce, Federation of Women's Clubs, Indiana District of Kiwanis International, League of Women Voters, Congress of Parents and Teachers, Indiana Academy of Social Sciences, Indiana Society for Mental Hygiene, Federation of Social Workers Clubs, American Association of University Women, Indiana State Conference on Social Work, Indiana Council on Crime and Delinquency, Civil Service Reform League, and Indiana Business and Professional Women. In addition the State Chamber of Commerce was very helpful and the Indiana Farm Bureau, the C. I. O., and the A. F. of L. sent representatives to several of the meetings.

Representatives of these organizations met together for three months prior to the opening of the legislature to discuss merit legislation and ways to focus effectively the mounting desire in the state to do away with political patronage in the appointment of state employees.

Mr. William J. Stout, of the Junior Chamber of Commerce, was made chairman; Mrs. Walter S. Greenough, vice-chairman; and Miss Mary Sinclair, secretary-treasurer. Eventually Miss Sinclair, the legislative secretary of the Indiana League of Women Voters,

spent the major part of her time in piloting the merit bill through the legislature.

A great deal of thought and research went into the drafting of the measure. The model state civil service law, prepared by the National Municipal League and the National Civil Service Reform League, proved to be helpful. Experts in the field of public administration in the state gave tirelessly of their time. Not all recommendations were accepted by the Republican leaders who endorsed the act as fulfillment of the party's platform pledge to adopt the merit system. It was further amended by the General Assembly.

In large measure, however, the act as passed is sound and progressive. Given a good board and competent director, it should provide an up-to-date personnel administration for the departments and divisions affected.

#### Departments Involved

Included in the act is the personnel of the twenty state benevolent, correctional, and health institutions, excepting the chief administrative officer of each, and the Indiana Library and Historical Department.

One of the interesting problems was how to incorporate the new system with the merit system already in operation in the state at a minimum of expense and dislocation. The latter was known as the Indiana merit plan, and covered the personnel of the state and county Departments of Public Welfare and the Unemployment Compensation Division, including the Indiana Employment Service. These employees had been selected by examination, and had demonstrated fitness for their jobs. It seemed both unnecessary and unwise to disturb their status. So the act clearly states that those employees in any department or division who have been appointed under a merit system satisfactorily complying with the pro-

visions of the act, may, upon approval of the board and the director, retain their positions without examination. Other sections of the act provide that federal regulations in regard to personnel shall prevail in those departments and divisions where federal aid is granted.

#### Provisions of Act

Briefly, the act provides for a state personnel board, and a state personnel director, and prescribes the methods of setting up a merit system for the selection and retention of personnel in the departments and divisions affected. The personnel board has four members.

The terms of the board members, after initial appointments, are for four years, one to be appointed each year. They shall be citizens of the state who are in sympathy with and have knowledge of the scientific application of merit principles to public appointment, and shall not be political party committee members or be candidates for or hold public office. Their compensation is three hundred dollars a year and necessary expenses. The board is designed to be policy-forming and three affirmative votes are required for the adoption or approval of any official action. The board appoints the director.

The personnel director is the chief administrative officer under the provisions of the act. He shall be "a person thoroughly familiar with the principles of and trained in the methods and techniques of public personnel administration on the merit basis," with at least two years successful experience in either a public or private organization. He himself shall be in the classified service and only subject to removal by the board for cause. The salary is to be not less than five thousand nor more than six thousand dollars.

Within one year after the act goes

into effect (May 1, 1941) the director must submit to the personnel board a classification plan for the positions affected. Twenty-five thousand dollars is provided for inaugurating the system and making the investigations upon which the classification plan is based. This sum should make it possible to employ an outside expert agency to make a careful and detailed study. The compensation plan is to be adopted in the same manner. After positions are assigned to their proper places, the director proceeds to hold competitive tests, and establish lists of those eligible for appointments, listing them in the order of their accrued grades. Thereafter all appointments must be made for these or similar lists.

### Protection for Employees

Interests of employees are well safeguarded in the act. Employees are protected from dismissal for religious, racial, political, and social reasons, and are given the right to appeal to the state personnel board if they feel that they have been unfairly treated. They are protected from political interference, and may not solicit contributions nor be forced to contribute to political parties. They are given opportunity to advance in the service by in-service training programs and promotion tests.

A positive recruitment program to attract men and women of ability and character should, in the first place, bring in persons of high calibre. These provisions to give employees security as long as they do their jobs well, demotion or dismissal if they do them poorly, and advancement according to ability, should result in efficient service and high morale.

KATHARINE CROAN GREENOUGH  
Indiana League of Women Voters

### *P.C.P.A. Carries On Thirty-five-Year Tradition*

The Philadelphia Committee on Pub-

lic Affairs, referred to locally as the P. C. P. A., occupies a unique place in the nation's third largest city. With a membership limited to fifty outstanding business and professional men, representing many different walks of life, it manages—sometimes, at least—to influence the course of public policy in a community of over two million people. At present, it is a voluntary association "of men interested in the improvement of civic conditions and the welfare of the city and county of Philadelphia and of the commonwealth of Pennsylvania," although originally active membership on the board or staff of some civic organization was a prerequisite to membership.

In one form or another, the committee has functioned for more than a third of a century. An attempt made in 1905 to sell the publicly owned Philadelphia Gas Works for a sum far below its real worth greatly aroused public opinion, and showed the need for an enlightened citizens' organization. The City Club—forerunner of the P. C. P. A.—was started by three men, Clarence L. Harper, Albert E. Turner, and Cyrus D. Foss, as a small luncheon group composed of men interested in public affairs. It grew gradually in size, its quarters expanding from a few rooms to a large club house which proved to be a major cause of its downfall in 1929.

The City Club had functioned through a number of committees, one of which was the Civic Affairs Committee; after the club ceased to exist, this committee<sup>1</sup> continued to meet weekly at lunch time. This was the beginning of the present P. C. P. A. The mem-

<sup>1</sup>Members of this committee at that time were: Henry Tatnall Brown, Albert Smith Faught, Joseph H. Hagedorn, Clarence L. Harper, Bernard J. Newman, Samuel B. Scott, Isaac C. Sutton, T. Henry Walnut, with Daniel R. Goodwin as acting chairman.



bership roll now includes many names long associated with the history of the city. Few of the original members have died; rarely do they resign unless they move away. Although few of the members have taken an active part in partisan politics, the roll includes many who now hold or have held important public office, not to mention the countless activities and memberships of its members in civic bodies.

Among the former officeholders may be mentioned three members of the state Public Service Commission, two members of the state House of Representatives, two members of the Philadelphia Registration Commission, a chairman of the State Workmen's Compensation Board, and a director of the Bureau of Workmen's Compensation in the Department of Labor and Industry, a former city superintendent of schools, and many more.

#### Members in Public Office

Among those who are now serving in public office may be cited a member of the Philadelphia Civil Service Commission, a judge of the United States Circuit Court of Appeals for the Third Judicial District, the president of the Philadelphia Board of Public Education, the city treasurer and assistant city treasurer of Philadelphia, and the solicitor general of the United States.

The luncheon meetings last for one and a half hours, adjourning promptly at 2 P.M. The first meeting of each month is devoted to business; speakers—but no reporters—are present at all others. Since the members can be trusted to exercise discretion in repeating what they learn, state and city officials are only too glad to discuss their problems frankly with the group, and even to ask for suggestions.

The group functions with a delightful degree of informality. There is no charter and no by-laws. The first and only

rule of the committee is that there shall be no formal rules at all.

The fifty members are divided into twenty-five committees of two, and each of these committees is responsible for the programs of two meetings a year. Neither the speaker nor the subject of a meeting is announced in advance. The chairman presides at all meetings; the secretary records decisions made and includes mention thereof in the weekly letter to members.

Discussion is free, frank, and often heated. Decisions are never forced; the group acts only with substantial unanimity. While this practice sometimes slows up action, it does not prevent it, but it does prevent the development of cleavages among the members of the group. Members are expected to attend regularly, and most of them do.

The expenses of the committee are very light. There are no dues, but to meet necessary expenses for postage and mimeographing, members are assessed once or twice a year, never more than five dollars at a time. Since 1935 the committee has been the recipient, by court decree, of the income from a civic endowment fund formerly belonging to the City Club. This modest income is kept in a separate civic fund, and is used to finance civic work in keeping with the general purposes set forth in the trust agreement. This makes possible weekly reports on the action of the City Council, and during legislative sessions, a weekly review of state legislation, by an able staff member of the Bureau of Municipal Research. This review is mimeographed and furnished to members of the committee and to other interested persons.

The organization functions through a series of standing and special committees. Standing committees are maintained on civic affairs, municipal finance and taxation, membership, recommendations (for appointment to

public office), and publicity, but many special committees are appointed by the chairman to study important subjects and report back to the body.

The Committee on Civic Affairs has of late been especially active. During the past year carefully prepared statements have been approved and given publicity on water and sewage loans totalling \$60,000,000, on low-rent housing, and on a legislative program for the 1941 session of the General Assembly of Pennsylvania.

For several years the P. C. P. A. has cooperated during legislative sessions in staging a weekly Friday conference on legislative problems. A special committee in the fall of 1940 prepared, in cooperation with the representatives of seven other civic organizations in the city, a report on candidates for public office, comparable to those long issued by the Citizens Union in New York. The Committee on Recommendations keeps watch of vacancies in the judiciary and elsewhere, and from time to time submits its suggestions to the whole committee; these, when approved by the committee, are transmitted to the proper appointing authorities for their consideration.

It is difficult to appraise fairly and accurately the influence and significance of the P. C. P. A. Its long-time influence in the community is probably far greater than many of the members realize; on the other hand, the temptation to members to take themselves too seriously is frequently checked by current failures. Certain it is that the group represents a type of sincere and disinterested public service which is indispensable to the progress of any enlightened community seeking to make democracy work more effectively.

W. BROOKE GRAVES

Temple University

## County and Township

*Edited by Elwyn A. Mauck*

### North Dakota Provides for County Reorganization

*Manager plan pre-  
scribed in two of three  
optional charters*

**BY** ONE optional law providing for disorganization of counties and three others providing optional forms of county government, the legislature of North Dakota has attempted to provide governmental structures to meet the needs of the entire state ranging from the areas most sparsely populated to those most highly urbanized. These laws are in conformity with the constitutional amendment ratified by the voters last June.<sup>1</sup>

The county disorganization law is very similar to that enacted by the legislature in 1939. It applies only to counties of less than 4,000 population (of which there are five). Twenty per cent of the voters may petition for a referendum on the subject which will then be placed on the ballot in the following state-wide election unless such election should occur within ninety days of the filing of the petition. The state examiner is required to make an audit of the petitioning county and file a report in the county auditor's office. If the proposition receives a 55 per cent favorable vote, the governor proclaims the county to be disorganized as of the following January first. Also he designates the county to which the disorganized county shall become attached, unless the boards of commissioners of the disorganized county and

<sup>1</sup>See NATIONAL MUNICIPAL REVIEW, November 1939, page 769; August 1940, page 559; and October 1940, page 694.

of an adjoining county already have come to an agreement on this point.

The unorganized county loses all judicial, record, and taxing functions, but it does not lose its identity as a legislative district. None of its obligations, however, is transferred to the organized county, but are paid out of its taxes and assets. All offices in unorganized counties are abolished and their functions transferred to comparable offices in the annexing county. The organized county becomes the trustee for the unorganized, levying its taxes, administering its debts, and supplying whatever public services are considered still necessary.

The optional "consolidated office form" of county government provides a solution less drastic than disorganization but still permits county offices to be reduced to a minimum. The initiative petition must be signed by at least 40 per cent of the voters and then is placed on the ballot in the next regular primary or general election. If adopted by a 55 per cent vote, it becomes effective the following January first. It provides that the auditor shall be the chief administrative officer of the county and shall assume the duties of the county judge, register of deeds, and clerk of district court. It provides also that the Board of Commissioners shall appoint the auditor, attorney, sheriff, treasurer, superintendent of schools, coroner, four justices of peace, and four constables. The board may designate the sheriff, attorney, and superintendent of schools of an adjoining county to serve on a part-time basis allowing them additional compensation for this purpose. The offices of public administrator and surveyor are abolished.

#### Two Manager Charters

The "short form of county managership" provides somewhat more governmental machinery while the "county manager form" is the most elaborate

plan offered to counties. Either plan may be initiated by petitions bearing signatures of 35 per cent of the voters or by a majority vote of the full Board of County Commissioners. The proposal is then placed on the ballot in the following primary or general election where it must receive a 55 per cent affirmative vote. If adopted the board is obligated to appoint a full-time manager to be the administrative head of the county. He need not be a resident of the county, and incumbents in elective office including board members are ineligible. The manager is given full power to appoint and remove his subordinates, and any interference by board members is deemed a misdemeanor. The appointment of the county attorney, however, requires the endorsement of the board.

#### Duties of Managers

Although the manager is removable at the pleasure of the board, he is entitled to written charges and a hearing. He has the usual managerial duties of attending meetings of the board, executing its resolutions and orders, making monthly reports, preparing the budget, etc. He assumes most of the functions of the county auditor, but provision is made also for an annual independent audit.

All employees are placed on salary, and all fees are turned into the county treasury.

The superintendent of schools and county judge continue to be elected biennially. The offices of clerk of district court and justices of peace are abolished, and their functions transferred to the county judge.

In the "short form of county managership" the manager may assume the duties of or appoint the tax collector, treasurer, and purchasing agent. He assumes the duties of the register of deeds, coroner, public administrator, and surveyor. The office of sheriff is



abolished, and the manager may either appoint police officers or contract for the services of the sheriff of an adjoining county. Constables are abolished and their functions given to such police or sheriff.

In the "county manager form" there are created the departments of finance, public works, and public welfare, and the Board of Commissioners and manager are given the option of creating further departments as needs arise. The manager can designate himself as head of a department or appoint one individual to administer two departments if the board gives its approval. The director of finance assumes the duties of or appoints the tax collector, treasurer, and purchasing agent. He assumes the duties of the register of deeds and in part the duties of the auditor. The director of public works has charge of roads and bridges, public buildings, equipment, and supplies. The office of surveyor is abolished and its functions transferred to the department of public works. The director of public welfare administers the usual welfare functions. The sheriff remains elective and assumes the duties of the abolished coroner and constables. The office of public administrator is abolished, and the functions transferred to persons appointed by the county judge.

After a county has operated at least four years under the "short form of county managership" or the "county manager form," 25 per cent of the voters may petition at least ninety days before a primary election to return to the former plan of county government, and the change will be made if the proposal receives a 55 per cent affirmative vote in the primary election.

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### ***Manager Plan Recommended by Survey for Maryland County***

The Brookings Institution's survey

of Montgomery County, Maryland, under the direction of Dr. Lewis Meriam, was made public March 15. Among its recommendations the survey included: (1) substitution of a county council for the present five commissioners and divorcement of the council from all administrative duties; (2) engagement of a county manager for supervision of administration; (3) inauguration of a merit system to include all county departments; (4) establishment of non-partisan elections with nomination by petition; and (5) creation of a county controller to do all accounting and to preaudit all expenditures.

The survey also recommended that the county should be brought within the limited home rule provisions of the state constitution. This would avoid the necessity of appealing to the legislature for needed charter changes.

The Brookings staff criticized the administration of some offices because of their purely political basis, lack of professional personnel standards, and inadequacies revealed in the system of records and in reporting methods. Criticism was directed also to the fact that 85.7 per cent of the bonds issued in the last five years were for refunding purposes.

Montgomery County's government shows unmistakably the patching effects of Maryland's system of local legislation whereby county government is controlled by the county delegation to the biennial state legislative sessions. There has been no systematic overhauling or comprehensive reorganization of the county government within modern times.

Its tax and administrative pattern is much confused by the existence of twelve incorporated towns, eleven village tax areas, seven special tax areas, and three regional districts, each of which is likewise regulated and controlled by special local legislation.

In submitting the report, Dr. Meriam explained that many of the recommendations might be too radical to permit their being put into effect at once or even in the immediate future but that the report was intended as a comprehensive survey of the county's affairs and as an outline of a model county government toward which county residents might work.

HOWARD M. KLINE

University of Maryland

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### ***Oregon Manager Amendment Fails***

A House joint resolution to amend the constitution of Oregon to provide for county manager government has failed of adoption. The county committees of both houses recommended the resolution for passage. It was accepted by the House of Representatives on February 11, but later failed of passage in the Senate.

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### ***Indiana Legislation Affecting Counties***

The eighty-second regular session of the Indiana General Assembly adjourned March 10, bringing to a close one of the most hectic sessions in Indiana legislative history. One of the most interesting of the new county laws provides for the addition of \$400 to the salaries of county auditors in all counties with a population under 75,000, excluding only six urban counties which come under a previous re-classification. The county auditor is playing an increasingly important rôle in county affairs throughout the state, and in many counties he is approaching the stature of a county executive. The auditor by virtue of being clerk of the Commissioner's Court often becomes the administrative agent of the board, and in many instances performs valuable coördinating functions.

The Assembly made it mandatory that the county board appropriate poor relief funds in the same manner as other township funds and that such funds be included in the annual budget. Formerly funds often became depleted long before the close of the fiscal year, and frequently, when the county auditor allowed claims after the township money was gone, the advisory board would refuse to allow a township appropriation to reimburse the county. In the future it will be unlawful for the auditor to allow poor relief orders in excess of the amount appropriated except in case of emergencies. The provision that the State Board of Accounts shall adopt standard forms should aid in alleviating the frequent chaotic conditions of township poor relief administration.

A bill providing for the abolition of townships having less than \$500,000 valuation failed to become a law largely because of the rush to get certain state bills through in the latter days of the session. Approximately one-tenth of the state's 1,016 townships would have been included in this classification. Some rural townships in southern Indiana are able to support schools and other governmental services, for example, only because of large state subsidies.

Since there is much submarginal land and state and federal forest areas in the southern sections, a law was passed giving the county commissioners authority to redefine township boundaries on petition of 35 per cent of the resident freeholders where the federal or state government has taken over parts of the township for public use.

Under a new liquor control act, county boards are given final authority to issue retail liquor permits and tavern licenses. Formerly the State Alcoholic Commission had final authority. There was a movement for local option but

this was the only step taken in that direction.

A new method of distributing the state-collected gas tax increases the total county allotment. The flat sum of \$12,200,000 is to be distributed to counties on the basis of total vehicular miles within each county. Cities and towns also were granted increases. The amount accruing to the state for the construction and maintenance of state highways is correspondingly reduced. There was no stipulation increasing state control or imposing limitations on counties as conditions to receipt of the increases in shared taxes.

### Local Laws

A law applying only to Marion County (Indianapolis) abolishes the archaic fee system, provides that all fees collected shall go into the county general fund, and increases the maximum salaries that can be paid elective officials.

A second local law authorizes Allen (Fort Wayne) and Vanderburgh (Evansville) Counties to create, operate, and maintain purchasing agencies after the Board of Commissioners, with the advice and assistance of the auditor, has prescribed the field of activity of the agency; provided, however, that all purchases of supplies and equipment shall be made only after due notice.

The Republican legislature passed a law over the Democratic governor's veto which creates bipartisan county voter registration boards in Marion and six other of the largest counties in the state. These boards are to consist of two members appointed by the circuit court judge upon recommendation of the Republican and Democratic county chairmen. This removes from the county clerk sole authority over registrations and the collection of fees attached thereto.

GAIL M. MORRIS

Indiana University

### *Civil Service Commission of San Diego County Reports*

The Civil Service Commission of San Diego County, California, in a report issued recently, demonstrates by its accomplishments what can be done in applying the merit system to county government. In the past year it has studied 90 per cent of the county departments in order to classify positions on the basis of functions and of minimum qualifications of incumbents. Through reclassification many unnecessary classes were abolished while others were defined with greater precision. Compensation rates were adjusted following a survey of comparable positions in private employment.

Sixty examinations were conducted of which eleven were for higher positions. In eight examinations the commission utilized the technical assistance of the State Personnel Board. Motion pictures were used with success to test the observation and memory of candidates for positions in the offices of sheriff and coroner. The commission continued to permit written examinations to be administered anywhere in the United States.

The commission conducted both noon and evening training classes for county employees, and 315 attended the thirteen courses covering machine calculation, botany, shorthand, public relations, police methods, and office training. Classes were used also to train rating officers who are required to rate employees every six months under the Probst system. Ratings were used as the basis of both promotions and dismissals, but the employee always was given the right to appeal his rating. Of the 122 individuals who were separated from the service, three retired, thirteen died, and twenty were dismissed for unsatisfactory service. Only one dismissal was overruled by the commission.



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**Taxation and Finance***Edited by Wade S. Smith*

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**Property Tax Collections  
"Normal" in 1940**

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***Annual survey shows drop  
in tax delinquency  
at end of 1940***

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**T**HE year 1940 saw a further trend toward normalcy in the collection of general property taxes. Median current year-end delinquency for 150 cities of over 50,000 population dropped .55 from 1939 to 8.70 per cent of the levy, as compared with 10.15 per cent in 1930, while the median collection of total current and delinquent taxes for 100 cities was just over the levy at 100.7 per cent.

The median current delinquency for 1940 approximated the best records for the 1920's, according to the annual tax delinquency survey of Dr. Frederick L. Bird, director of municipal research for Dun & Bradstreet, Inc.<sup>1</sup> Four cities of northern California, San Jose, Fresno, San Francisco, and Berkeley, again led the list of municipalities closing their 1940 fiscal years with not more than 5 per cent of the year's levy uncollected, the ratios standing respectively at 0.6, 1.0, 1.2, and 1.4 per cent. Other cities among the first ten, each with a year-end delinquency under 2 per cent, were Birmingham and Mobile, Alabama; Oakland and Sacramento, California; Peoria, Illinois; and Jackson, Mississippi.

Total current and delinquent tax collections in 100 cities for the 1940 fiscal year ranged from a low of 82.0

per cent to a high of 118.6 per cent, with the median standing at 100.7 per cent. The median total collection ratio for 1939 had been 100.8. Whereas in 1939, however, 71 of the cities had collected within 5 per cent of the levy, in 1940 total collections came within this range in 84 of the cities. This contrasted with the situation in 1937, when some cities collected over 140 per cent of the levy, and 34 of the 100 cities collected in excess of 105 per cent of their levies.

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***Bronxville Publishes  
Preliminary Budget***

For the first time citizens of the village of Bronxville, located in Westchester County, New York, could attend the annual budget hearing armed with something besides good intentions. Under a new policy, printed copies of the preliminary budget which was considered at the hearing were prepared and distributed to every household in the village by the Board of Village Trustees.

In a message on the cover of the distributed pamphlet the village trustees state: "This is the complete budget that will be discussed at public hearing. . . . It is hoped that the new policy of publishing the complete budget prior to the hearing will increase the interest of property owners of Bronxville in village affairs."

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***New Records  
for Kentucky Counties***

The Kentucky Department of Revenue recently prescribed a modern system of records for counties and advised that it would aid such counties as wished immediately to make an installation.

The announced policy will be to initiate the new system only as the state officials can supply service to

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<sup>1</sup>*Trend of Tax Delinquency, 1930-40.* Frederick L. Bird. Municipal Service Department, Dun & Bradstreet, Inc., New York City.

assure each local government's getting properly under way. After initial assistance, the department contemplates sending its experts periodically to each county undertaking to keep the complete records, so that local officials may avoid procedural errors that might embarrass them and damn the record-keeping plan.

The new accounts will give counties control over their budgets on the basis of accruing expenses when funds are encumbered—not when disbursements are made. Through local reports, the Department of Revenue will be able also to maintain a periodic check of budget operations on a more satisfactory basis than has been possible under the cash records heretofore common.

JAMES W. MARTIN, *Director*

Bureau of Business Research  
University of Kentucky

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### ***States Grant Tax Concessions to Defense Contractors***

The example set by the federal government, in granting special tax concessions to defense contractors by allowing accelerated depreciation rates on special defense facilities built or acquired, has been followed by sixteen states, according to a recent announcement of the Federation of Tax Administrators.

A speeding up of defense production by off-setting risks involved in constructing facilities which may be useless in peace times is the purpose of such allowances. The special rates will reduce corporate income taxes paid by defense contractors since depreciation allowance is included among deductions from total income in determining the amount of taxable net income.

Under federal regulations, defense contractors may secure a certificate—

from the War or Navy Department, the Treasury, and the National Defense Advisory Commission—to the effect that the facilities he proposes to build or acquire are necessary for emergency defense purposes. With such certificate the contractor may amortize the cost of the facilities at the rate of 20 per cent yearly.

States which have indicated that the same privilege will be extended under their income tax to contractors holding defense certificates include Arkansas, Georgia, Kansas, Kentucky, Louisiana, Massachusetts, Mississippi, New York, Oregon, South Carolina, Tennessee, and Virginia.

South Dakota has indicated it will grant the privilege when a specific case arises for consideration. Three other states—Connecticut, Pennsylvania, and Vermont—are among those which use the net income tax and, therefore, may be listed among the states where special allowances may be obtained.

Legislative action may be necessary to make the concession in some states, including California, Maryland, and Minnesota. The Utah Tax Commission has recommended that the legislature consider amendments to the state income tax law to provide for the allowance.

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### ***Kentucky Rules on Tax Exemptions for School Boards***

In two recent cases—*Board of Education of Kenton County v. J. Dan Talbott* and *Board of Education of Kenton County v. Commonwealth of Kentucky ex rel. Martin*—the Kentucky Court of Appeals has made applications of the state constitution which appear to be of long-range significance. Although a number of issues were raised in the litigation, only two seem to have large constitutional meaning.

The state gasoline tax act does not provide for the exemption of county, municipal, or school district purchases; but the Kenton County Board of Education contended that a statutory provision was not important, since the constitution clearly supplied the basis for exemption. The school district, therefore, imported certain motor fuel for operating school busses and declined to pay the tax. The commissioner of finance, on certification of the liability by the Department of Revenue, withheld from the state appropriation for the district the amount necessary to satisfy the fuel tax liability. The school district brought equity proceedings to require payment by the commissioner of finance; but, owing to constitutional technicalities, the commissioner of revenue deemed it necessary, also, to file suit directly against the district board. The two cases were consolidated for purposes of Court of Appeals consideration.

#### **Schools Must Pay Tax**

The first issue of major significance arises from a provision in the exemption section of the constitution—quoted in the opinion as follows: “. . . public property used for public purposes, . . . institutions of purely public charity and institutions of education not used or employed for gain by any person or corporation and the income of which is devoted solely to the cause of education.” Counsel for the commonwealth had contended that earlier decisions erroneously applied the last part of this provision to excise and license taxes and insisted, on the ground that the provision referred to property taxes alone, the ruling should be repudiated. It was pointed out, however, that municipal corporations were subject to the gasoline tax and that school districts being quasi-municipal corporations fall into the same category.

The latter viewpoint was sustained by the court.

Section 184 of the constitution provides that “any sum which may be produced by taxation or otherwise for purposes of common school education shall be appropriated to the common school and to no other purpose.” The school district argued that in view of this provision no funds in its possession could properly be employed in payment of motor fuel taxes. The court took the position, however, that the school board was authorized by law to meet the normal expenses of educational service within the district. One type of service legally regarded as essential in Kentucky is provision for the transportation of pupils to and from school. Some school districts meet this problem by entering into a contract with a private transporter who, as a matter of course, must bear gasoline taxes. Other districts provide busses directly at public expense. The court adopted the view that in any case the total cost of providing the transportation service included both that for busses and that for road service. The method of providing the latter in Kentucky is through imposition of a gasoline tax which, for this purpose, is a means whereby part of the expense of road service is collected from all those who engage in transportation. Thus the statutory requirement that school districts pay gasoline tax when fuel is purchased directly by the school district does not violate the provisions of section 184.

#### **Statute Provision**

A third issue which may have long-range significance in respect of statutory construction is whether or not the statute, in order to apply to school districts and other municipal corporations, must expressly so provide. The court holds that this is not necessary.



Mr. Justice Thomas wrote a vigorous dissenting opinion in which he takes issue with the majority on all three points considered here. Some of both opinions leave a good deal to be desired from the point of view of completeness, but only one illustration need be cited. Judge Thomas suggests, "... machinery does exist for exempting the United States government and here it may be observed that there is no such exemption stated in the statute. It is not necessary, for a statute imposing such an excise tax and containing no specific provision for exemption could not be enforced as to a sale to the United States government." The justice appears to have overlooked section 4281g-10 of the Kentucky statutes which apparently attempts to exempt fuel sold to the United States government. More seriously still, he seems to overlook the language of Mr. Justice Frankfurter in *Graves et al. v. New York ex rel. O'Keefe*, 306 U. S. 466, at page 490: "Failure to exempt public functionaries from the universal duties of citizenship to pay the costs of government was hypothetically transmuted into hostile action of one government against the other. A succession of decisions thereby withdrew from the taxing power of the states and the nation a very considerable range of wealth without regard to the actual workings of our federalism (citing, among other decisions, that relied on by Judge Thomas, *The Panhandle Oil Company v. Mississippi*, 277 U. S. 281, 222). ... These decisions have encountered increasing dissent. ... In this court dissents have gradually become majority opinions, and even before the present decision the rationale of the doctrine had been undermined."

JAMES W. MARTIN

Bureau of Business Research  
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## Proportional Representation

*Edited by George H. Hallett, Jr.*

(This department is successor to the  
Proportional Representation Review)

## P. R. Proposals in Three States

### *Further News from Australia Changes in the P. R. League*

THOMAS H. MAHONY, chairman of the Citizens Committee for Proportional Representation in Boston, has had introduced once more in the Massachusetts legislature, with increased support, his bill to extend P. R. to Boston. The bill gives Boston the same right to adopt P. R. for its city council, by petition and popular vote, which is now enjoyed by all other Massachusetts cities.

A public hearing was held on April 7, at which the Boston Chamber of Commerce, the Boston Central Labor Union, the State and Boston Leagues of Women Voters, and the Associated Women's Clubs, with a membership of about 80,000, were all put on record in favor of the bill. Speakers for it also included Henry Shattuck, temporary president of Harvard and a member of the Boston City Council; Clement A. Norton, a member of the Boston School Committee, former member of the Council, and prospective candidate for mayor; Mrs. Andrew J. Peters, wife of former Mayor Peters; and Mr. Mahony, who made the opening address. No residents of Boston appeared in opposition, but Lewis Jerome Johnson, professor emeritus of engineering at Harvard, and his son Chandler W. Johnson, both proponents of P. R., opposed the bill on the ground that Boston should not be permitted to adopt P. R. without the city manager plan.

On the same day a hearing was held

on a bill introduced in the Senate by Miss Edna Spencer of Cambridge (private citizens can have bills introduced in the Massachusetts legislature) to repeal Chapter 54A of the General Laws, the statute making P.R. available for cities and towns which the Mahony bill seeks to amend. This bill was supported by E. Mark Sullivan, a former corporation counsel of Boston. It was opposed by all those appearing for the Mahony bill and also by Chandler Johnson.

Miss Spencer also has a bill to repeal "Plan E," the combination of P. R. and the city manager plan now optional for all cities except Boston and recently adopted by Cambridge. The repeal was strongly opposed at a hearing on March 24 by Frederick D. Griggs of the Springfield Taxpayers' Association, representing the Massachusetts Federation of Taxpayers' Associations, Miss Amelia W. Fisher of the Massachusetts League of Women Voters, Chandler W. Johnson and Herman C. Loeffler of the Cambridge Committee for Plan E, and others.

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### ***New Jersey Proposals***

On March 11 Senator Crawford Jamiesen of Mercer County re-introduced his two P. R. bills in the New Jersey legislature. One would set up a standard set of P.R. rules in the election law for adoption by reference; the other would make P. R. the standard method of electing the council in municipalities adopting the manager plan. There is special interest in these bills in Newark, where the strong Citizens Union under the leadership of Edward Fenias has been advocating the P. R.-city manager combination for local adoption.

There is much discussion also of using P. R. for the election of a state constitutional convention, which has become a practical possibility because of

the strong advocacy of a convention by Governor Edison. The *Asbury Park Evening Press* said editorially on February 14:

It will be inevitable that as the campaign for a constitutional convention grows politicians will formulate plans for packing the delegates so as to be sure of framing a new constitution of their own design. For that reason the average citizen must be alert to his interests and firm in the demand that delegates be chosen by proportional representation or a similar method of assuring representation for all groups.

Former Assemblyman Theron McCampbell of Holmdel, Monmouth County, has been urging P. R. repeatedly for all representative elections in a column in the same newspaper. Trenton newspapers are supporting P. R. also.

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### ***Dunkirk May Vote on P. R.***

Dunkirk, on Lake Erie, with a population of 17,713 according to the 1940 census, may be the next city in New York State to follow New York City and Yonkers in the adoption of P. R. A regularly constituted charter commission has drafted a new charter based on the city manager plan with a council elected by P. R. and has asked the council to submit it at a special election. The council has declined, contending that part of the proposed charter relating to tax collection is illegal, but may be compelled by court order.

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### ***Delay in South Australia***

Because of the illness of one of the members, the scant majority which carried on second reading Mr. E. J. Craigie's bill in the South Australia House of Assembly, to prescribe P. R. for future elections of both houses of

the provincial legislature,<sup>1</sup> was no longer available for final passage. The bill was therefore allowed to lapse at the end of the session. Mr. Craigie hopes to re-introduce it at the first favorable opportunity.

### ***P. R. League Offers to Enroll N. M. League Members***

The trustees of the Proportional Representation League, Inc., have approved a proposal to invite all regular members of the National Municipal League to become members of the P. R. League without additional payment of dues.

At the time when the P. R. League merged its staff and work with those of the National Municipal League in 1932, the official membership of the P. R. League was frozen as of that date, but with permission for the trustees to admit others at their discretion. There has been no attempt to expand the P. R. membership, since P. R. activities have been carried forward as an integral part of the National Municipal League's work and P. R. League activity as such has been largely confined to an official membership meeting at the time of the National Municipal League's Conference on Government once a year.

As time has gone on, however, many new figures have appeared in the ranks of active proportionalists and the official membership of the P. R. League has become less and less representative of the forces actually working for P. R.

The trustees of the P. R. League have therefore decided to issue a cordial invitation to all members of the National Municipal League in good standing to become enrolled as members of the P. R. League also, with the right to vote in case any question of P. R. League policy should arise for the members to decide. Though

special contributions for the P. R. work are always most welcome and helpful, no additional dues will be required. Membership once established will be continued indefinitely, in the absence of further instructions, so long as the member continues to be a member in good standing of the National Municipal League.

Those wishing to be enrolled as P. R. League members should notify Elsie S. Parker (who is assistant secretary and, by recent action of the trustees, treasurer of the P. R. League) at the National Municipal League office, 299 Broadway, New York.

### ***Changes in the P. R. Council***

A vacancy in the Advisory Council of the P. R. League, a group of fifty-three prominent citizens elected from time to time by the trustees to act as advisers and sponsors of the P. R. movement in this country, has been filled by the election and gratifying acceptance of William Jay Schieffelin.

Dr. Schieffelin, chairman of the Citizens Union of the City of New York, has been in the forefront of P. R. activities in New York since before the first recommendation of P. R. for that city by an official charter commission in 1922, including the successful defense of P. R. against a Tammany attack at the polls last fall. His acceptance fills one of the places on the council left vacant by the deaths of Glenn Frank, former president of the University of Wisconsin, and Joseph M. Dixon, former Governor of Montana.

We regret to report that a new vacancy has just been created by the death on April 23, at the age of 80, of Charles Edward Russell of Washington, D. C., author, newspaper editor and publisher, civic crusader, and humanitarian. Mr. Russell was a right-

<sup>1</sup>See January 1941 REVIEW, page 58.



wing Socialist and was twice the party's candidate for governor of New York and once each for United States senator and for mayor of New York City, but declined the presidential nomination in 1916. During the World War he broke with the party and served in diplomatic and industrial posts under President Wilson. He was one of the early advocates of proportional representation and has been a member of the P. R. League's council continuously since 1919.

### ***P. R. League Officers***

The present roster of the officers and Advisory Council members of the P. R. League is as follows:

*President:* A. R. Hatton, Evanston, Illinois

*Vice Presidents:*

Thomas Raeburn White, Philadelphia  
John R. Commons, Madison, Wis.

Mrs. Alice Thacher Post, Washington, D. C.

*Honorary Secretary:* C. G. Hoag, Haverford, Penna.

*Executive Secretary:* George H. Hallett, Jr., New York City

*Field Secretary:* Walter J. Millard, Cincinnati, Ohio

*Treasurer and Assistant Secretary:* Elsie S. Parker, New York City

*Honorary Vice Presidents:*

John H. Humphreys, London, Secretary of the P. R. Society of Great Britain

The Right Honorable Lord Parmoor, K.C.V.O., England

Ronald Hooper, St. James, Manitoba, Canada

### **ADVISORY COUNCIL**

(Trustees indicated by asterisks)

Albert S. Bard, New York City

Ex-Governor Robert P. Bass, Peterboro, N. H.

Charles A. Beard, New Milford, Conn.

William E. Boynton, Ashtabula, Ohio

Harold S. Buttenheim, New York City  
Mrs. Carrie Chapman Catt, New Rochelle, N. Y.

\*Richard S. Childs, New York City

\*Paul H. Douglas, Chicago, Ill.

Rev. Edward Dowling, S.J., St. Louis, Mo.

Harold W. Dodds, Princeton, N. J.

\*C. A. Dykstra, Madison, Wis.

Oliver J. Erickson, Seattle, Wash.

Charles G. Fenwick, Bryn Mawr, Penna.

Cyrus J. Fitton, Hamilton, Ohio

Christopher M. Gallup, North Stonington, Conn.

Mrs. George Gellhorn, St. Louis, Mo.

\*A. R. Hatton, Evanston, Ill.

Julian G. Hearne, Jr., Wheeling, W. Va.

\*C. G. Hoag, Haverford, Penna.

William Hoag, Boston, Mass.

A. N. Holcombe, Cambridge, Mass.

Lewis C. Hunter, San Francisco, Calif.

Lewis Jerome Johnson, Cambridge, Mass.

William C. Keough, Cleveland, Ohio

Cameron H. King, San Francisco, Calif.

Congressman Clarence F. Lea, Santa Rosa, Calif.

Samuel McCune Lindsay, New York City

Ben B. Lindsey, Los Angeles, Calif.

Walter Lippmann, New York City

William J. Locke, San Francisco, Calif.

Senator George W. Norris, McCook, Neb.

Ex-Senator Robert L. Owen, Washington, D. C.

Ex-Senator George Wharton Pepper, Philadelphia

Charles H. Porter, Cambridge, Mass.

Jackson H. Ralston, Palo Alto, Calif.

Thomas H. Reed, New York City

Mrs. Raymond Robins, Washington, D. C.

Monsignor John A. Ryan, Washington, D. C.

William J. Schieffelin, New York City

Murray Seasongood, Cincinnati, Ohio

Samuel Seabury, New York City

\*J. Henry Scattergood, Villa Nova, Penna.

Miss Belle Sherwin, Washington, D. C.

Don C. Sowers, Boulder, Colo.

Charles P. Taft, Cincinnati, Ohio

Carl D. Thompson, Chicago, Ill.

Lent D. Upson, Detroit, Mich.

Henry M. Waite, Washington, D. C.

Senator David I. Walsh, Clinton, Mass.

\*Thomas Raeburn White, Philadelphia

Charles H. Woodward, Philadelphia

# Books in Review

EDITED BY ELSIE S. PARKER

**State-Local Fiscal Relations in Illinois.** Edited by Simeon E. Leland. Chicago, University of Chicago Press, 1941. xxi, 453 pp. \$2.

This volume is a symposium by nine persons, edited by Professor Leland, who contributed an interesting introductory chapter on "Some Observations on Intergovernmental Fiscal Relationships." It is really a case study of the financial problems of the state of Illinois, until recently controlled by an agricultural economy but now struggling to meet the needs of rapidly expanding industrialism. The project was largely financed by the Social Science Research Committee of the University of Chicago, while much of the raw material was furnished by the Illinois Tax Commission.

The study opens with a discussion of local government organization and state supervision in Illinois. The second part sets forth at some length the various types of state financial assistance to local education, highways, welfare, and relief. The problems of state financial control as they relate to local budgets, accounting, auditing, reporting, revenue assessment and collection, and indebtedness are outlined in the third part. The general findings are set forth in the last part, in which Mr. Jacoby ably presents the highlights of the study. The principal conclusion reached is the urgent need for "an expansion of both financial responsibility and administrative effort on the part of the state government."

The study shows abundant evidences of extensive research into the various local governments of the state, and is fully supported by tabular matter and documented references. It furnishes a

good example of what may be done in other states as a means of reaching some conclusions respecting state-local fiscal relations. State and local officials, as well as others, who are looking for some rational approach to the problems and financing of local governments would do well to peruse this study with care.

A. E. BUCK

Institute of Public Administration

**Democracy and Proportional Representation.** By F. A. Hermens. Chicago, University of Chicago Press (Public Policy Pamphlet No. 31), 1940. v, 39 pp. 25 cents.

**Proportional Representation — The Key to Democracy.** By George H. Hall, Jr. New York City, National Municipal League (second and revised edition), 1940. xiv, 177 pp. 25 cents.

Professor Hermens has become the leading pamphleteer against proportional representation in the United States. His latest attack is based primarily upon his thesis that "the majority system, instead of providing for tyranny by a majority, operates as a mechanism of integration, which benefits majority and minority alike. On the other hand, P. R. is an instrument of disintegration. Instead of merely reflecting existing political divisions it intensifies those which exist. . . ." In his zeal to support this argument, Mr. Hermens would evidently have us reappraise Tammany Hall, for example, as "a mechanism of integration." To the reviewer, this seems more political mythology than political theory. Tammany Hall and its prototypes are instruments of integration only in the sense of Hitler's *Gleichschaltung*. The majority system has its virtues, but "inte-



gration" is one of the most dubious benefits which it brought as an electoral system in cities such as Cincinnati and New York.

To bolster the second step of his thesis—that proportional representation is an instrument of disintegration—Mr. Hermens makes a wide excursion into recent European experience. His argument that the rise of Hitler and Mussolini was the result of the operations of proportional representation is one of the least convincing explanations this reviewer has seen of the roots of modern dictatorship.

But even this is overshadowed when Mr. Hermens comes to a discussion of P. R. in American cities. For example, he implies (page 36) that had it not been for proportional representation Fusion would have captured the Council in the New York City election of 1937. This implication is made in the face of the fact that Tammany's allies elected 80 per cent of the state assemblymen and 87 per cent of the city's delegates to the state constitutional convention, as well as every county office within the city except the office of district attorney in Manhattan. Again (page 37), Mr. Hermens uses some strange arithmetic to arrive at a fantastic figure for the cost of the first proportional representation election in New York City. Mr. Hermens also attempts to show that P. R. results in a decline in votes. He cites the 1939 New York City election as well as Cleveland and Toledo to make his point. This claim is made in the face of the plain fact that in 1937 the vote for councilmen exceeded the largest vote ever cast for aldermen by more than 100,000, and that in Cleveland the P. R. votes rose to a higher level than the votes under the majority system.

Mr. Hallett's second and revised edition is in the same careful and scholarly tradition as the first edition. It is true that Mr. Hallett does not quite

prove that proportional representation is *the* key to democracy, but he makes out a carefully reasoned claim for its being one of the most important keys. His style is lucid, his facts carefully assembled, his tone of presentation moderate and convincing. His volume ranks as the most thorough, up-to-date exposition of proportional representation principles and practices in the United States.

WALLACE S. SAYRE

Civil Service Commissioner  
New York City

### **Police Systems in the United States.**

By Bruce Smith. New York City, Harper & Brothers, 1940. xx, 384 pp. \$4.

This volume is addressed both to the thoughtful student of public administration and to those many citizens who are looking for intelligent information in matters pertaining to police practices. It contains a complete analysis and appraisal of all angles of American police systems. In it the author traces the origin and development of the various types of police agencies, exposes their strong and weak points, explains their interrelations and their rôle in modern society. The author's intimate contact with police problems over the last twenty years and his familiarity with the devices used to solve them make the book an authoritative reference on current practice.

### **Taxation and Fiscal Policy.**

By Mabel Newcomer. New York City, Columbia University Press, 1940. ix, 89 pp. \$1.25.

The five essays comprising this little volume are, according to its author, "designed for readers with no specialized training in government finance." Dr. Newcomer has definitely succeeded in presenting her material in a manner calculated to interest and inform the layman. A short bibliographical note

mentions a few authoritative references for those interested in pursuing the subject further.

**Presidential Leadership.** By Pendleton Herring. New York City, Farrar and Rinehart, Inc., 1940. xiv, 173 pp. \$1.50.

The office of president of the United States and his rôle as leader of the nation have been more and more emphasized in the light of recent world events. Dr. Pendleton presents here a discussion of the presidential rôle and the relations of president and Congress, and seeks to answer the question as to whether our system of separation of powers, as between the president and Congress, is compatible with the need for authority. Appendices cover a listing of the war powers of the president and name the presidential cabinets from Abraham Lincoln to Franklin D. Roosevelt.

## Additional Books and Reports

### *Housing*

**A Citizen's Guide to Public Housing.** By Catherine Bauer. Poughkeepsie, New York, Vassar College, 1940. 90 pp. 60 cents.

**Housing for Defense.** A Review of the Rôle of Housing in Relation to America's Defense and a Program for Action. The Factual Findings by Miles L. Colean; The Program by The Housing Committee. New York, Twentieth Century Fund, 1940. xx, 198 pp. \$1.50.

**Housing—the Continuing Problem.** By National Resources Planning Board. Washington, Superintendent of Documents, 1940. 60 pp. 10 cents.

**Real Property Survey and Low Income Housing Survey, Philadelphia, Pennsylvania.** Philadelphia Housing Authority, 1940. 151 pp.

**Vladeck Houses—A Lesson in Neigh-**

**borhood History.** New York City Housing Authority, 1940. 16 pp.

### *Municipal Insurance*

**Municipal Insurance Practices in Pennsylvania.** Philadelphia, Pennsylvania Government Administration Service, 1940. 22 pp. mimeo.

**The Purchase of Fire Insurance.** Report to the Board of Directors of The City and County Economy Association. By Max P. Heavenrich, Jr. Superior, Wisconsin, City and County Economy Association, 1940. 16 pp. mimeo.

### *Personnel*

**Coördinated In-Service Training in Pennsylvania.** Philadelphia, Pennsylvania Government Administration Service, 1940. 19 pp. mimeo.

### *Planning*

**American Planning and Civic Annual.** A record of recent civic advance in the fields of planning, parks, housing, and neighborhood improvement, including the principal papers delivered at the National Conference on Planning, held at San Francisco, California, July 8-11, 1940, and the nineteenth national Conference on State Parks, held in Illinois and Indiana, May 12-16, 1940. Edited by Harlean James. Washington, D. C., American Planning and Civic Association, 1940. x, 278 pp. \$3.

### *Public Administration*

**Public Administration Organizations.** A Directory of Unofficial Organizations in the Field of Public Administration in the United States and Canada. Chicago, Public Administration Clearing House, 1941. xi, 187 pp. \$1.50.

### *State Government*

**Claims Against the State.** Adjustment and Allowance of Claims Against the State of Kansas; Claims Practices



in Other States; and Application of Possible Procedures to the Kansas Situation. Topeka, Research Department, Kansas Legislative Council, 1940. x, 31 pp. mimeo.

**Political and Administrative Reform in the 1940 Legislature.** By Charles S. Hyneman. University, Bureau of Government Research, Louisiana State University, 1940. 54 pp. 25 cents (10 cents for each additional copy).

**Public Administration and State Government in Utah.** By G. Homer Durham. Logan, Utah State Agricultural College, 1940. 40 pp. mimeo.

**State Publications in Nebraska.** Lincoln, Nebraska Legislative Council, 1940. 33 pp.

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#### *Taxation and Finance*

**Cost of Government in Indiana.** Indianapolis, Indiana Taxpayers Association, 1940. 121 pp. mimeo.

**Fiscal Policies of the State of Texas with Suggested Changes.** By George C. Hester. San Antonio, Texas State Manufacturers Association, 1941. 42 pp.

**Michigan Retail Sales and Use Taxes.** By Robert S. Ford and E. Fenton Shepard. Ann Arbor, University of Michigan Press, 1941. viii, 154 pp. 75 cents.

**Tax-Exempt Securities.** Philadelphia, Tax Institute, 1941. 12 pp. 25 cents.

**The Place of Illinois in a Rational Scheme of Tax Reform.** By Paul Haensel. Evanston, Chandler's Bookstore, 1941. 35 pp. 75 cents.

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#### *Traffic Control*

**Roadside Control.** By Robert R. Bowie. Baltimore, Research Division, Maryland Legislative Council, 1940. viii, 65 pp. mimeo.

**These Roads Called Streets.** The Problem of Town and City Street Construction and Maintenance in North Carolina; How It Affects the Taxpayers and Motorists, and What Can Be Done

About It. Raleigh, North Carolina League of Municipalities, 1940. 11 pp. mimeo. 10 cents.

**Transportation in 1950.** Today and Tomorrow in Highway History. By Chester H. Gray. Washington, D. C., National Highway Users Conference, 1940. 34 pp.

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#### *Voting*

**California Voters' Handbook.** San Francisco, California League of Women Voters, 1940. x, 118 pp. 37 cents.

**Voting in the United States.** Qualifications and Disqualifications, Absentee Voting, Voting Rights of Persons in Military Service. Chicago, The Council of State Governments, 1940. 29 pp. mimeo. 50 cents.

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#### *Miscellaneous*

**Civil and Commercial Aviation.** A Guide to Federal Legislation and Administrative Agencies. By Dorothy Campbell Culver. Berkeley, Bureau of Public Administration, University of California, 1940. iii, 78 pp. 75 cents.

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#### EDITORIAL

(Continued from Page 252)

able sixteen-page pamphlet sets forth the whole story in a form which can be understood and digested in a comparatively few minutes. It has already attracted the attention of finance officials in half a dozen states who have praised the basic idea and the clarity of the report.

"Boss" Hague and his ilk would never understand this angle, but the hope is expressed definitely in the pamphlet that "the new policy . . . will increase the interest of property owners in Bronxville in village affairs."